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**LOK SABHA  
DEBATES  
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**SECOND SESSION, 1957**

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**LOK SABHA SECRETARIAT  
NEW DELHI.**

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**N. B.—** The sign + above a name of a Member of Questions, which were orally answered indicates that the Question was actually asked on the floor of the House by that Member.

## LOK SABHA DEBATES

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12912

### LOK SABHA

Tuesday, 10th September, 1957

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

Publicity of Programme in Community Development and N.E.S. Blocks

\*1618. Shri Sanganna: Will the Minister of Information and Broadcasting be pleased to state:

(a) what arrangements have been made in each State for the publicity of the programmes of the Community Development and National Extension Service Blocks;

(b) whether the publicity work of the Community Development and the National Extension Service Blocks is co-ordinated with that of the State Government; and

(c) if so, whether any expenditure is charged by the State Governments for this purpose?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). Publicity programme of the Community Development and National Extension Service Blocks is a part of the overall Plan Publicity Programme and is arranged through the various Media Units of the Ministry of Information and Broadcasting. It is also arranged in collaboration with the States and local Community Development authorities, wherever necessary.

(c) The State Governments make no charge but are assisted by the Central Government by payment of 50 per cent. of the cost of community listening receivers, free supplies of posters and films.

Shri Sanganna: In view of the fact that at a recent conference of the State Ministers it was stated that publicity work at State level was not satisfactory, may I know what improvement do the Government propose in this matter?

Dr. Keskar: It was not said that the work at State level is not satisfactory. Rather, the implementation of the general programmes sometimes suffers from lack of co-ordination, and it is that which was discussed at the State Ministers' conference

Shri Basappa: May I know whether adequate literature in all the fourteen languages for publicity is available?

Dr. Keskar: I do not know what the hon. Member means by 'adequate'. We are publishing large amounts of literature in all the languages and some of the pamphlets and posters are published by us; some are published by the State Governments also

Shri Shivananjappa: May I know whether the students of the universities are requisitioned for this purpose?

Dr. Keskar: Yes, Sir. We have got the University planning forums which aim at harnessing the students and the teachers to discuss and generate interest in the Plan in the intellectual circles.

Shri Ranga: Is it a part of this publicity work of the N.E.S. Blocks that whosoever is responsible for it will publicise the constructive activities that are being carried on in village

after village within that particular area and also meet the high school students and if there are colleges, the college students also, in that area, and get them interested and enlightened about it?

**Dr. Keskar:** That would be rather difficult for me to answer—whether in the Blocks efforts are being made to get the students interested. I would have to find out.

**श्री भक्त दशांतः** क्या मैं जान सकता हूँ कि इस प्रवार का वास्तविक उद्देश्य क्या है? क्या इसका उद्देश्य यह है कि विकास जंडों के बाहर की जनता परिचित हो या यह कि विकास जंडों में रहने वाली जनता परिचित होकर आगे बढ़ने के लिए काम कर सके?

**डॉ. केसर:** इसका उद्देश्य दोनों प्रकार का है। जो विकास क्षेत्र में प्रचार होता है, वह तो विकास क्षेत्र में रहने वालों पर असर डालने के लिए होता है, लेकिन जो यहाँ से प्रचार होता है वह आम जनता के लिए होता है।

**Shri Mohamed Imam:** What is the nature and purpose of this publicity? May I know whether it is not a fact that this publicity is often sought recourse to in the absence of sufficient work and to cover the deficiency in the work? Is not the actual work itself sufficient publicity?

**Mr. Speaker:** That is a matter of opinion. The hon. Members want publicity not only here but abroad also. When it comes to the question of publicity here they want to restrict it.

#### Incorrect Statements in "Dictionary of Politics"

**"1619. Shri Shree Narayan Das:** Will the Prime Minister be pleased to state:

(a) whether the attention of Government has been drawn to the entries 'Kashmir' and 'India' in the Penguin Reference Book entitled 'A Dictionary of Politics' published by Unwin Brothers Ltd. and printed in

Great Britain in 1957 where incorrect statements about Kashmir and India have been recorded;

(b) if so, what steps have been taken to get necessary corrections made therein; and

(c) whether the publisher has agreed to do so?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Mehta):**  
(a) Yes.

(b) and (c). Our High Commission in London has discussed the subject with a Director of Penguins who is taking up the matter with the authors.

**Shri Shree Narayan Das:** May I know whether this publisher has given any explanation as to the circumstances and reasons for this glaringly incorrect statement made in the publication?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** As has been read just now, the subject has been discussed by the publisher with the High Commissioner. The publisher said that he will discuss with the author. The publisher does not write it. He publishes. There is no question of explanation. If it is a mistake, as it is, he ought to correct it.

**Shri Shree Narayan Das:** May I know whether the publisher has given any indication of the time by which the next edition of the publication will be published?

**Shri Jawaharlal Nehru:** No, Sir. We cannot order about the people like this.

**Shri Goray:** Is there any machinery at the disposal of the Government to screen such books before they are allowed to come here?

**Shri Jawaharlal Nehru:** Of course not. How can we possibly ask publishers to send us books for our scrutiny before they are published?

**Shri Goray:** Before they are allowed to come to India.

**Mr. Speaker:** Any censorship, so far as such books are concerned.

**Shri Jawaharlal Nehru:** I cannot understand this. How can we screen or censor or otherwise deal with the books in foreign countries especially, and even here, for the matter of that?

#### Import of Hides and Skins

\*1620. **Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the ban imposed on the imports of raw hides and skins from Pakistan is creating any adverse effect on our foreign exchange position; and

(b) whether it is a fact that these imported goods used to be re-exported after processing and dressing in India?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) There is no ban on the import of raw hides and skins from Pakistan.

(b) Yes, Sir

**Dr Ram Subhag Singh:** May I know the approximate value of the import of raw hides and skins from Pakistan and the value of it in the re-export also?

**Shri Satish Chandra:** In 1956, 1,18,702 cwts costing Rs 67,52,000 were imported from Pakistan

**Dr. Ram Subhag Singh:** Re-export also?

**Shri Satish Chandra:** There is no re-export to Pakistan.

**Shri Ranga:** In the import from Pakistan in recent years, has there been any increase or has there been any decrease?

**Shri Satish Chandra:** The import in 1956 was less than in 1955. I have not got earlier figures.

#### Titanium Products

†

**Shri Narayananankutty**

**Menon:**

**Shri Punnoose:**

\*1621. { Will the Minister of Commerce and Industry be pleased to state:

(a) what is the total annual requirement of Titanium products in India;

(b) what quantity is imported annually and what quantity is manufactured in India;

(c) which are the factories manufacturing Titanium in India and the total quantity manufactured by them; and

(d) the steps Government have taken to increase the production of Titanium products in India?

**The Minister of Industry (Shri Manubhai Shah):** (a) The annual requirements of titanium dioxide pigment, which is the only major product of titanium in demand in the country are estimated to be 2500/2600 tons.

(b) and (c). The following quantities of titanium dioxide have been imported and manufactured in India during the last 2 years:

Year	Quantity imported (tons)	Quantity manufactured in India (tons)
1955	286	1,800
1956	273	1,700

M/s. Travancore Titanium Products are the only manufacturers of titanium dioxide pigment.

(d) The Government have approved the expansion of the present capacity of Travancore Titanium Products from 1800 tons to 3600 tons per year by 1960-GI

**Shri Punnoose:** May I know whether any amount has been advanced to this company by the Industrial Finance Corporation?

**Shri Manubhai Shah:** Not yet.

**Shri Punnoose:** Is it a fact that a loan that was given to this company was not used for the expansion of this factory but that a complaint has been received that that money was diverted to something else?

**Shri Manubhai Shah:** Such complaints have been coming from time to time. But our complete enquiry showed that they have used it for the production purposes and also for purposes of expansion.

**Shri V. P. Nayar:** The hon. Minister says that the amount given as loan has been used according to the information with the Government. May I know whether, in enquiring about it, Government have also enquired whether the sales of the titanium products manufactured there are given over to a particular company and, if so, whether the Government are aware of the name of that company?

**Shri Manubhai Shah:** On the first part of the question, the very fact that the production of this factory in 1952 was only 234 tons, rose to 1400 tons in 1954 and it became in 1955, 1,800 tons shows that the factory has made nearly wonderful progress and all the money that was given to them as loan has been rightly used for expansion purposes. As for the second part of the question, it is the freedom given to every company to select their own sellers and they have appointed one company in the country as their sole distributors.

#### Test House in Madras

\*1622. **Shri Balakrishnan:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the South Indian Chamber of Commerce had made a representation to Government about the necessity of locating a test house of commercial products in Madras State; and

(b) if so, the reaction of Government thereto?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) Two Representations were received one from the Madura-Ramnad Chamber of Commerce and another from the Indian Chamber of Commerce, Coimbatore to this effect.

(b) Establishment of a Branch Test House at Bombay is included in the Second Five Year Plan. Opening of more Test Houses will be considered in the light of the experience gained from the working of the proposed Bombay Branch.

**Shri Balakrishnan:** At present where is the test house which is testing the products sent from Madras State?

**Shri Anil K. Chanda:** At present there is one Government test house and that is located in Alipur, Calcutta.

**Shri S. R. Arumugham:** May I know whether it is a fact that all the articles to be tested have to be sent to Calcutta and there is inordinate delay in getting the articles tested and the merchants face difficulties by this delay?

**Shri Anil K. Chanda:** There is only one test house for the whole of the country. So, it is inevitable that there will be congestion of work. We are opening a new one in Bombay during the second Five Year Plan and that will lessen the congestion.

#### Publicity of Development Works in Andhra

\*1623. **Shri Balarama Krishnaiah:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the steps that the Government of India have taken to give due publicity to the development works in the enlarged State of Andhra Pradesh; and

(b) whether the Government of India propose to establish a separate unit in Andhra Pradesh to cover the activity in this direction?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). Generally publicity is done by the State Governments for development works of the State concerned. A statement is laid on the Table showing the work done by Central organisations. [See Appendix V, annexure No. 19.]

**Shri Balarama Krishnaiah:** May I know whether it is a fact that all the cinema houses in the South are not exhibiting the news reels?

**Dr. Keskar:** How does it arise out of this question?

**Mr. Speaker:** Arises out of publicity.

**Dr. Keskar:** Compulsory exhibition of documentaries is not part of publicity.

**Shri Heda:** According to the previous arrangements, the present Andhra State is to be covered by Nagpur and Madras. Does it still continue?

**Dr. Keskar:** Does he mean the radio stations?

**Shri Heda:** I am referring to the publicity unit of the information department; whenever there is a big event, somebody writes to the information department for making arrangements for taking pictures, etc.

**Dr. Keskar:** The hon. Member has probably not understood. There is no such organisation for publicity. We have got news reel cameramen stationed at one or two places and they function separately. There is a separate organisation for the publicity vans. So, they are quite separate from each other. There is no such one unit which does all the work of Central publicity.

**Shri Tangamani:** In the statement various documentaries like "Tungabhadra" and "Shipping and Shipbuilding" are mentioned. May I know whether these documentaries are being shown in all the cinema houses?

**Dr. Keskar:** I do not know to which State he is referring.

**Mr. Speaker:** He refers to Andhra Pradesh. He is referring to the statement laid on the Table.

**Dr. Keskar:** The compulsory exhibition of these documentaries in Andhra Pradesh is not taking place at present, because there is a law suit pending, which is coming up in October. Only after that is settled, it can be done. There is a dispute between the exhibitors and the distributors.

### दियासलाई उद्घोष

\*१६२४. श्री भवत दश्मन : क्या वार्षिक तथा उद्घोष मंत्री १४ नवम्बर,

१९५६ के तारांकित प्रदेश संस्था १७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि दियासलाई तैयार करने के लिये कुटीर उद्घोष केन्द्र लोलने के सम्बन्ध में चालू विसीय वर्ष १९५७-५८ के लिये क्या कार्यक्रम निर्धारित किया गया है?

**उद्घोष मंत्री (श्री मनुदाई जाह) :** कुटीर दियासलाई उद्घोष के १९५७-५८ के कार्यक्रम में ये बातें शामिल हैं—दैन देना, दियासिलाई बनाने के बारे में परीक्षण करना, धूमने वाली पार्टियों के द्वारा जगह जगह प्रदर्शन करना, कानूनन बने हुए राज्य बोडी, सहकारी सोसाइटियों तथा रजिस्टर्ड संस्थाओं को अनुदान तथा ऋण देना। यह कार्यक्रम ढी० कलात के १०० कारखाने लोलने और विक्री भंडारों को उनके संगठन लाचौ, पजी संचालन के लिए और प्रचार तथा प्रकाशन के लिए अनुदान और ऋण देने के लिए हैं। सादी तथा प्रामेचोग कमीशन ने इस उद्घोष के विकास के लिए चालू वर्ष में ५,८७,२८० ह० अनुदान तथा ६,५०,००० ह० ऋण के तौर पर देने की भंजूरी दी है। इस वर्ष के अन्त टक ढी० कलात के दियासलाई के जो १०० कारखाने चालू हो जाने की आशा है, उनके उत्पादन का लक्ष्य दियासलाईयों की ३०,००० धूस डिवियं रखा गया है।

**श्री भवत दश्मन :** जहाँ तक मुझे जात है पहले जो योजना बनाई गई थी, उस में प्रति-वर्ष २०० ढी० कलात कारखाने लोलने का विचार था। मैं यह जानना चाहता हूँ कि वह संस्था १०० वर्षों कर दी गई है?

**श्री मनुदाई जाह :** २०० कारखाने लोलने का प्रोग्राम है, जिन में से १०० के विषय में सेवकान दे दी गई है। उन के लुलने के बाद किर १०० कारखाने और लोलने का कार्यक्रम धूर किया जायगा।

**श्री भवत दश्मन :** इन भैंच फैस्टटरीज के सम्बन्ध में राज्य सरकारों की जो सिफारिशें

होती है, क्या वे अनितम रूप से स्वीकार कर भी जाती है? और अब जोई सुझाव सीधे सरकार के पास आता है, तो क्या उस पर विचार किया जाता है?

**श्री मनुभाई शाह:** जहाँ तक कुटीर उद्योग और घरेलू उद्योग का मामला है, हम अमूमन ऐसा करते हैं कि राज्य सरकारों की हिदायतों को स्वीकार कर लेते हैं। अगर उनमें से किसी में थोड़ा सा तबादला करना पड़ता है, तो कर देते हैं। वैसे हम उनको मन्त्रूर कर लेते हैं।

**श्री भवत बर्गन:** जो १०० मेंबर फैक्टरीज खुलने वाली है, उनका राज्यों में किस तरह वितरण किया गया है?

**Shri Manubhai Shah:** It is a long statement. Andhra Pradesh 35, Assam 10, Bihar 20, Bombay 30...

**Mr. Speaker:** If there is any State not included, he may refer to that.

**Shri Manubhai Shah:** All the States are included.

**Shri Bangshi Thakur:** May I know why the Government of India does not pay any attention to the Maharaja Match Factory of Agartala, College Tillu, which flourished for a few years and which succumbed to ruin at present due to lack of finance?

**Mr. Speaker:** Hon. Members will put down separate questions for individual cases. First of all, let them write to the Minister and if they do not get a sufficiently satisfactory answer, let them bring it here.

**Pandit J. P. Jyotishi:** May I know how many factories have been allotted to Madhya Pradesh?

**Shri Mannbhai Shah:** Madhya Pradesh is being allotted 20 factories.

#### Conciliation Officers in Kerala

\*1625. **Shri Warior:** Will the Minister of Labour and Employment be pleased to state:

(a) the number of Conciliation Officers in Kerala to settle trade dis-

putes arising out of the failure of any of the banks to implement the Bank Award; and

(b) whether the question of appointing sufficient number of labour inspectors in the Kerala State is under consideration of Government?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) At present there is one Conciliation Officer (Central) with headquarters at Cochin.

(b) The Government of India are examining the staff requirements of the Chief Labour Commissioner's Organisation in the various States including the State of Kerala.

**Shri Warior:** May I know the jurisdiction of the officer at present posted in Cochin?

**Shri Abid Ali:** The whole of the State of Kerala and a few districts of Madras State.

**Shri Punnoose:** Is it a fact that in the absence of the necessary legislation, there are so many disputes with regard to bank employees?

**Shri Abid Ali:** The Industrial Disputes Act applies to bank employees also.

**Shri Warior:** There is only one officer and a large number of cases are pending. This is causing hardship.

**Shri Abid Ali:** Out of 83 cases received in 1956 by this officer, only 21 were pending at the end of the year.

**Shri Tangamani:** May I know whether an extra inspector will be appointed to deal with the accumulating number of pending cases?

**Mr. Speaker:** He says, no. Out of 83 only 21 remain. The hon. Member feels an extra inspector is necessary, but who is to decide? Shall we decide for the Government?

**Shri Tangamani:** That was in 1956. I want to know about the number of cases pending this year.

**Mr. Speaker:** That is a suggestion for action.

### Maternity Benefits

**\*1627. Shrimati Renu Chakravarty:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the 13th Session of Indian Labour Conference had recommended that a uniform legislation with regard to maternity benefits should be undertaken; and

(b) if so, the steps taken in the matter?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) No.

(b) Government have forwarded to State Governments, for adoption, Model Minimum Standards for Maternity Benefit legislation.

**Shrimati Renu Chakravarty:** In view of the fact that these model rules have been circulated almost a year ago, may I know how many States have agreed to review their own maternity benefit legislation to bring them up to the standard of the model rules?

**Shri Abid Ali:** Orissa has already adopted it. Madhya Pradesh, Bihar, Punjab, Rajasthan, etc. are taking necessary action. Other States are considering.

**Shrimati Renu Chakravarty:** What is the difficulty in the way of legislating for all-India maternity benefits and what is the view of the Ministry regarding this?

**Shri Abid Ali:** According to the decision arrived at the Indian Labour Conference at Mysore model rules were drafted and sent to the State Governments. It is for them to adopt the rules.

### Small Industrial Estates

**\*1628. Shri Siddananjappa:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the plans for starting twenty Small Industrial Estates all over the country have been completed; and

(b) if so, the details regarding their location and the financial assistance proposed by the Central Government?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The location of 13 Small Estates has been settled by the respective State Governments and is given in the statement laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 20]

As regards financial assistance, the Central Government gives a loan to State Governments to cover the entire cost of the Small Industrial Estates.

**Shri Siddananjappa:** What about the remaining estates?

**Shri Manubhai Shah:** The remaining estates are still under consideration.

**श्री भृष्ट. बशंन :** इस विवरण से ज्ञात होता है कि उत्तर प्रदेश में काशी विद्यारीठ तथा लोनी में दो इस तरह के केन्द्र स्थापित किए जा रहे हैं। मैं जानना चाहता हूँ कि इन केन्द्रों को स्थापित करने में किन किन बातों का ध्यान रखा जाता है तथा किन कारणों से इनको वहां स्थापित करने का निर्णय किया गया है?

**श्री मनुभाई शाह :** योगी देर पहले मंम्बर साहब ने सवाल पूछा था कि कुटीर तथा छोटे उद्योग स्थापित करने के बारे में राज्य सरकारों की हिदायतें मानी जाती हैं या नहीं, जिसके उत्तर में मैंने कहा था कि आम नौर पर मानी जाती है। उसी के मुताबिक यह भी राज्य सरकार की हिदायत से ही किया गया है।

**Shri Siddananjappa:** May I know whether these estates are confined to the community development areas only and whether they are in the nature of pilot schemes?

**Shri Manubhai Shah:** There are two distinct types of estates. The question under reference relates to small industrial estates, which are to be located in the community development areas. Over and above that, major industrial estates are established in all parts of the country and we have approved 35 larger estates so far.

**Shri Supakar:** May I know which States are not included in this scheme?

**Shri Manubhai Shah:** All States are included.

**Shri Thimmaiah:** May I know the approximate expenditure on each of these industrial estates and how much of it is given as loans to the State Governments?

**Shri Manubhai Shah:** It varies according to the size of the estate. The amount varies from Rs. 75 lakhs to Rs. 20 lakhs per estate and the total amount approved, or likely to be approved, during the current year is Rs. 3 crores on all the estates.

**Shri Ranga:** These are all supposed to be loans to the State Governments. May I know in how many instalments they are to be repaid and from which year? Is the first instalment to be repaid after the first five years or is it from the first year itself?

**Shri Manubhai Shah:** The repayment is spread over 20 to 30 years according to the amounts and it is paid after the establishment of the estate.

**Shri S. E. Arumugham:** May I know whether any loan or subsidy is given for starting industries to industrialists and whether any technical advice is given to those who want to start industries?

**Shri Manubhai Shah:** These loans for industrial estates are not given to the industrialists. They are established by the State Governments with their loans and subsidy from the Central Government. Repaying it in 20 or 30 years is not at all a difficult thing. Over and above that, there is a common service programme in each estate where the Centre and the State help them by marketing, technical advice, supply of information and research and workshop facilities.

#### Documentary Films

\*1629. **Shri Jaihind:** Will the Minister of Information and Broadcasting be pleased to state:

(a) in how many languages the

commentaries of documentary films are given; and

(b) the basic principle on which the languages are chosen for commentary?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). Documentary films produced for the Five Year Plan publicity are dubbed in all the regional languages. Other documentary films have been usually produced in English, Hindi, Bengali, Tamil, and Telugu. The reason for not producing them in other languages is mainly economic. We are considering the proposal to produce gradually our ordinary documentaries in the other regional languages.

**Shri Punnoose:** May I know whether companies and firms outside India are free to take documentaries about India in India and also to export them without any restrictions?

**Mr. Speaker:** This was answered day before yesterday, I fully remember. They have absolute right to do whatever they like.

**Shri Ansar Harvani:** Is it a fact that in many picture-houses where Hindi pictures are shown the documentaries are shown with commentary in English?

**Dr. Keskar:** In this matter the initiative must lie with the distributor. Our documentaries with Hindi commentaries are available in sufficient quantities with the distributors. There is no dearth.

**Shri Basappa:** May I know the number of languages in which commentaries are given in documentaries?

**Dr. Keskar:** All our publicity documentaries are published in all languages, including Kannada. Up till now, 58 documentaries have been published.

### **State Trading Corporation**

\*1839. **Shri V. P. Nayar:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total money advanced by the State Trading Corporation on the import of goods upto the 15th August, 1957; and

(b) the total value of exports of Indian goods handled by the Corporation till the 15th August, 1957?

**The Minister of Commerce (Shri Kanungo):** (a) It will not be in accordance with the normal business practice to disclose the information.

(b) Rs. 8,17,28,847/-

**Shri V. P. Nayar:** I am surprised that the total value of exports is given while the Minister says that it is not in the normal trade practice to disclose the figure of imports.

**Shri Kanungo:** You wanted to know the advance given by them.

**Shri V. P. Nayar:** May I know the margin that the State Trading Corporation is making in imports as well as exports?

**Shri Kanungo:** That can be found from the annual report which will be placed on the Table.

**Shri V. P. Nayar:** May I know whether Government have taken adequate steps to ensure that the producer gets the maximum when the commodity is handled by the State Trading Corporation for export and middlemen's profits are reduced to the irreducible minimum and, if so, what are the steps taken by the Government?

**Shri Kanungo:** These are the steps which Government desire the STC to take.

**Shri C. D. Pande:** May I know whether any interest is charged on such loans as are advanced to the STC, in order to have a real assessment of its business efficiency?

**Shri Kanungo:** Yes, Sir. Interest is charged.

**Shri Heda:** Is it not a fact that many times Indian firms enter into agreements with foreign firms for the export of some commodity and then the STC comes into the picture and instead of charging 3 per cent., which is their usual commission, they try to get the lion's share of the profit?

**Shri Kanungo:** It is not the normal business of the STC. If the exporters in our country and the importers in other countries desire the STC to render them such services, services are rendered at given prices.

**Shri V. P. Nayar:** May I know whether it is a fact that in cases of commodities which are exported by the STC, purchases for export are being made from established dealers, who are allowed to draw their usual and more than usual commission, denying the producer of his dues even though he is offered better prices by other countries?

**Shri Kanungo:** The STC purchases from the normal trade and it purchases it at competitive rates. For quota-holders certain concessions are given.

**Shri Tantia:** May I know whether it is a fact that a large amount of damage is done to the goods on account of the delay in shipments and, if it is so, what is the amount of loss incurred?

**Shri Kanungo:** I haven't got the information.

**Shri Nagi Reddy:** May I know whether the Government is aware that in the case of quite a number of agricultural products, for example, in the case of tobacco, the producer does not get the real value of the produce because the Government is purchasing only from the middlemen and, therefore, the profit is not accruing to the producer? If so, what steps have the Government taken in regard to that?

**Shri Kanungo:** As far as tobacco is concerned, STC has gone into the infinitesimal part of it and the purchases of the Corporation have been made through the Commodity Committee, which is a non-profit making organisation.

### Coke-oven Enquiry Committee

\*1631. { Shri Ghosal:  
Shri B. Dasgupta:

Will the Minister of Planning be pleased to state:

(a) the recommendations made by the Coke-oven Enquiry Committee;

(b) whether these recommendations have been accepted by the Government of India; and

(c) if not, the reasons therefor?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) The recommendations made by the Committee which are based upon the assessment of the demand and supply position for hard coke and the economics of the Durgapur scheme of the West Bengal Government are set out in the note which has been placed on the Table of the Lok Sabha. [See Appendix V, annexure No. 21]

(b) Yes, Sir.

(c) Does not arise.

**Shri Ghosal:** May I know whether the production of coke plant of the West Bengal Government will be sufficient for the Durgapur steel plant?

**Mr. Speaker:** He wants to know whether the quantity that is produced in that plant will be sufficient for the Durgapur project.

**Shri S. N. Mishra:** We have estimated the demand as it will occur in 1960; we have not related the demand particularly to the Durgapur Steel works. But I think we have got an estimate of the shortage that we may have.

**Shri T. K. Chaudhuri:** May I know whether the gas grid project of the Durgapur coke oven scheme for supplying gas to Calcutta and areas in between Durgapur and Calcutta has been recommended and, if so, whether it has been accepted by the Central Government?

**Shri S. N. Mishra:** I have to enquire about it. There is some correspondence going on between the Planning Commission and the Chief Minister.

Two things, particularly, I have in my mind. One is regarding expansion of the size and another regarding the utilisation of the by-product.

**Shri T. K. Chaudhuri:** No; I am asking about the gas grid. As far as I understand, the proposal of the West Bengal Government was to build a gas grid from Durgapur to Calcutta to supply gas to Calcutta city and surrounding areas. What has been done with regard to that? Where does that matter stand now?

**Shri S. N. Mishra:** I am not quite sure about any reference having been made. As I said just now, we have got two things under examination at the moment.

**Shri Tangamani:** In the statement it is stated that if the renovation programmes of the four private merchant cokeries are completed, their capacity by 1960 would be more than 300,000 tons. May we know at what stage these private cokeries are now?

**Shri S. N. Mishra:** I can only say that this project is under construction at the moment. Having completed the foundation work, they have begun construction.

**Shri B. Dasgupta:** There was also a proposal for gas grid from Durgapur to Chittaranjan. May I know whether Government is also contemplating completion of that?

**Shri S. N. Mishra:** That is not related to this question.

### Second All India Agricultural Labour Enquiry

\*1632. **Shri B. S. Murthy:** Will the Minister of Labour and Employment be pleased to state:

(a) the progress so far made by the Second All India Agricultural Labour Enquiry; and

(b) the findings, if any?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) and (b). The field work of the Second All-India Agricultural Labour Enquiry is expected to be completed shortly. Thereafter the data collected will be tabulated and report drafted.

**Shri B. S. Murthy:** May I know how many villages are taken for this enquiry?

**Shri Abid Ali:** About 3600.

**Shri B. S. Murthy:** May I know the type of enquiry that is being made, whether it is the same as has been done in the first enquiry or a new one and if so, the type of enquiry?

**Shri Abid Ali:** Size, composition, earning strength, wages, employment, under-employment, un-employment, family income, expenditure, indebtedness of agricultural labour, etc. will be the scope of enquiry.

**Shri B. S. Murthy:** May I ...

**Mr. Speaker:** I thought the question has been answered.

**Shri B. S. Murthy:** The National Sample Survey has been conducting an enquiry into the living conditions of agricultural labour. I wanted to know whether this enquiry which the Labour Ministry has initiated is of the same type or a different one.

**Shri Abid Ali:** I have mentioned the items which are under survey.

**Shri Thimmaiah:** May I know whether these villages have been selected in each State and on what basis these villages are selected?

**Shri Abid Ali:** It is left to the party to select. Of course, the survey is conducted all over the country.

**Shri B. K. Gaikwad:** How long will it take for the committee to complete the work?

**Shri Abid Ali:** By the end of September, the survey will be completed. Thereafter, tabulation will take some time. Then, there will be drafting of the report. All this will be completed by March-April, next year.

**Shri Nagi Reddy:** May I know whether this Committee will go into the question of the proportion of the national income which agricultural labour is getting and whether this has been increasing so far as agricultural

labour is concerned from year to year as per capita income?

**Shri Abid Ali:** The items to be undertaken by the survey have been mentioned.

#### Small Scale Industries

\*1634. **Shri Harish Chandra Mathur:** Will the Minister of Commerce and Industry be pleased to state:

(a) what progress has been made in marketing scheme instituted on the recommendations of Dr. Lincoln Clark through mobile van;

(b) the total recurring and non-recurring expenditure incurred so far on this scheme; and

(c) the total turn over and profit and loss on this scheme since its inception? z

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 22.]

**Shri Harish Chandra Mathur:** May I know whether the Government propose to proceed further with the scheme? What is their proposal for expansion of the scheme during the Second Plan and at what cost?

**Shri Manubhai Shah:** For the present, it is a pilot scheme. Only twelve vans are working in the country. Recently we have re-oriented the scheme, not so much as a commercial scheme, but as a development scheme. As we go along, if we find that the results are profitable, we propose to expand it.

**Shri Harish Chandra Mathur:** It is apparent from the statement that goods worth about Rs. 73,000 were sold in 1956-57 at a loss of Rs. 1,67,000. Goods produced by small-scale industries worth crores of rupees are being sold. May I know why investigation cannot be conducted in respect of goods which are already being sold without this luxurious agency?

**Shri Manubhai Shah:** If the hon. Member will bear with me, as I have

said in my previous answer, this is more a development, propaganda and publicity scheme and not at all a commercial scheme. That was the original intention of Dr. Lincoln who recommended the scheme. Our experience has shown that there is a great potentiality for dissemination, marketing survey and bringing of the small man to the focus of the areas where the consumption capacity is big. What is indicated as loss in the statement in normal terminology should have been called developmental expenditure. I can assure the hon. Member that the turn-over in some cases has been found to be profitable. In some cases, the loss has not been more than 10 per cent. of the turn-over.

**Shri Harish Chandra Mathur:** I want to know why this investigation cannot be held in respect of the goods which are already being sold to the extent of crores of rupees. Why is it necessary to employ this agency to carry on investigation. If you read the statement, you will find that investigation is being carried on in respect of 8 industries which are well established in the market. They are selling goods worth crores of rupees. Why can't investigation be conducted in respect of goods which are being sold? Why this luxurious agency?

**Shri Manubhai Shah:** According to the requirements of the country, what is being sold is a fraction of what should have been sold by the well established industries. It is in this field that the small-scale sector has to expand considerably. Regarding new lines, unless we test the new schemes in the well established lines where consumer preference exists, it will be hazardous to go into new lines. For the reference of the House, I would re-read the industries which have been given in the statement: Ready-made garments, Quality Marked Scissors, Khurja Pottery, Builders Hardware, Footwear, Paints and Varnishes, Domestic Utensils. These very industries, the House will appreciate, are the ones in which there is tremendous scope for expansion of the small-scale sector. That is why we

want to propagate in the various rural regions both for expansion as well as for utilisation.

**Mr. Speaker:** Next question.

**Shri Harish Chandra Mathur:** I want to put another question.

**Mr. Speaker:** A number of questions have been allowed.

**All India Sericulture Training Institute, Channapatna (Mysore)**

\*1635. **Shri Siddiah:** Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 645 on the 5th August, 1957 and state the steps taken so far for the establishment of an All India Training Institute for Sericulture at Channapatna (Mysore)?

**Kanungo:** The estimate for the scheme is under consideration. It has been decided to set up the Institute at Channapatna in Mysore and the Mysore Government have been requested to provide 15 acres of land.

**Shri Siddiah:** May I know whether the original estimate was revised and if so, why? How long will it take to complete the construction of the Institute?

**Shri Kanungo:** It had to be revised because the prices of raw materials had gone up. Provided the Mysore Government makes the land available and provides other facilities it is expected that the construction will take not more than a year.

**Shri Siddiah:** May I know how many graduates and matriculates will be admitted to this institution for training and whether hostel accommodation is provided for all the trainees there?

**Shri Kanungo:** Trainees will be of both types, graduates and non-graduates, and the number, to start with, will be round about 40. Most of them will be State Government employees.

**Shri Siddiah:** He has not answered the second part of the question.

**Mr. Speaker:** Is there a proposal to have a hostel?

**Shri Kanungo:** Hostel accommodation will be provided.

**Shri Thimmappa:** May I know when this scheme was sanctioned and what are the reasons for the delay in establishing this sericulture institute?

**Shri Kanungo:** As I said, this is still under consideration. It has not yet been finalised because the prices have gone up in the meantime.

**Shri B. K. Gaikwad:** May I know whether there is any particular restriction that a particular number should be graduates or non-graduates? Is there any number fixed?

**Shri Kanungo:** It has not been fixed. It all depends on the type of persons whom the State Government selects.

**Shri S. C. Samanta:** May I know whether there is any proposal to establish regional teaching institutes also?

**Shri Kanungo:** Not necessarily. This institute will serve the whole of India, along with the higher institute available in Berhampore in West Bengal.

#### Plan Provision for Vidarbha

\*1636. **Shri Balkrishna Wasnik:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that the Government of Bombay have raised the question of increasing Plan provision for Vidarbha with the Planning Commission, as on a *pro rata* basis Vidarbha should have been given Rs. 44 crores for its development schemes; and

(b) if so, the action taken thereon?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) Yes, Sir.

(b) The matter is under consideration.

**Shri Balkrishna Wasnik:** In view of the fact that the plan for the former Madhya Pradesh was estimated to cost Rs. 123.7 crores and on a *pro rata*

basis Vidarbha should have been given Rs. 44 crores, may I know the reason why the plan for Vidarbha is only Rs. 39 crores?

**Mr. Speaker:** The difference is only Rs. 5 crores.

**Shri S. N. Mishra:** Population is certainly a governing consideration, but there are other considerations too. But, whatever may be the consideration or the principle that will have to be applied to the available funds, that is funds which are available after making provision for spill over projects and also for such commitments as the Tawa scheme. If the hon. Member bears these things in mind, he will not find any injustice having been done to Vidarbha. All the same, this matter is under consideration.

**Shri Balkrishna Wasnik:** Is it a fact that because a contribution of about Rs. 8 crores has not been made to Vidarbha, many of the development schemes there are being held up?

**Shri S. N. Mishra:** I have no information about that, about schemes having been held up, but I would like to make it clear that since we have a communication from the Chief Minister of Bombay on this point, that communication is under examination. But in regard to the schemes having been held up, I shall certainly enquire.

**Shri B. K. Gaikwad:** The hon. Minister said there are other considerations too while considering this problem. May I know what other considerations there are?

**Shri S. N. Mishra:** One very important consideration which would readily come to the mind of the hon. Member is the backwardness of an area.

#### Import of Electric Motors

\*1637. **Shri S. R. Arumugham:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Government of Madras has been repeatedly urging the Centre to issue import permits for 15,000 electric motors for the use of agriculturists in the State; and

(b) if so, the quantity for which the permits have been given up to the end of July 1957?

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** (a) and (b). The demand of the Government of Madras for Electric Motors to meet the requirements of the agriculturists in that State was 5,000 Nos. during the July-December 1956 licensing period and 7,400 Nos. during the January-June 1957 licensing period. Licences were issued for 2,600 and 2,540 Electric Motors during the respective licensing periods.

**Shri S. R. Arumugham:** May I know whether it is a fact that the import licence for electric motors is given to a firm in Pondicherry which sells the motors in Madras State at an exorbitant price, and will the Government consider giving licences only to agricultural associations and the actual users?

**Shri Satish Chandra:** If the hon Member puts a separate question, I will be able to answer that specific point.

**Shri S. R. Arumugham:** May I know whether it is a fact that the licence was issued only for motors but not for switches and starters, and will the Government consider the supply of the switches and starters along with the motors?

**Shri Satish Chandra:** A large consignment of starters and switches had arrived in the previous licensing period, that is July-December 1955, and as they were available in sufficient quantities in the country, they were not licensed for import with these motors.

**Shri S. R. Arumugham:** But these starters and switches are not available in Madras State. They are available only in the Pondicherry area, and the firm in Pondicherry sells these articles at a high rate.

**Mr. Speaker:** Is not Pondicherry a part of Madras now?

**Shri S. R. Arumugham:** No, Sir. Not yet.

**Shri Satish Chandra:** It is true that a firm in Pondicherry in the earlier year was given a licence to import these starters and switches, but they are available for use in the whole country and people from Madras can get them more easily than people in other parts of the country.

**Shri Basappa:** May I know what arrangements are being made to manufacture these motors inside the country, since this involves a lot of foreign exchange?

**Shri Satish Chandra:** The existing and sanctioned capacity for the manufacture of these motors is 9,93,870 H.P., and the target of demand is about 8 lakhs to one million H.P. The question of sanctioning some more capacity, up to 1·25 million H.P., is under consideration.

#### Border Trade with East Pakistan

\*1638. **Shri R. S. Lal:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Government of West Bengal has drawn the attention of the Union Government to the fact that contrary to the agreement signed in January last the East Bengal Government is not allowing fish, eggs etc. of the agreed quantity to cross the border; and

(b) if so, the steps taken in this connection?

**The Minister of Commerce (Shri Kanungo):** (a) Yes, Sir.

(b) The matter has been taken up with the Government of Pakistan.

**Shri Sadhan Gupta:** May I know since what time these difficulties have been created and what is the resultant drop of import of fish to the Calcutta market from Pakistan?

**Shri Kanungo:** I cannot give any statistical data because the arrangement was for border trade by head-load. It has practically come to a standstill in recent months.

**Shri Bangshi Thakur:** Question 1638 relates to border trade with East

**Pakistan.** May I know what necessary steps our Government is going to take as far as this trade is concerned?

**Shri Kasungo:** The six-monthly review of the treaty is due in a couple of months, and when the representatives of both Governments meet, they will discuss the problem.

**Shri A. C. Gaha:** The hon. Minister just now said that the border trade agreement, particularly based on the headload system, has practically come to a standstill. Is there any possibility of reopening the question and coming to some settlement and a new arrangement?

**Shri Kasungo:** That is exactly what I replied in reply to the previous supplementary, namely that the six-monthly review of the treaty is due in a couple of months and the matter will be discussed with the representatives of the Pakistan Government.

#### Dev Puri Colony for Displaced Persons

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1640. { **Shrimati Parvathi Krishnan:**  
**Shri Kodiyan:**  
**Shri T. B. Vittal Rao:**

Will the Minister of Rehabilitation and Minority Affairs be pleased to refer to the reply given to Starred Question No. 772 on the 9th August, 1957 and state:

(a) whether Government have since received the exact details which Government of India were awaiting from the State Government about Dev Puri Colony in Meerut (U.P.);

(b) the price at which each quarter has been sold to the allottees (displaced persons) and the number so far sold;

(c) whether Government have received any complaints from the allottees; and

(d) if so, their grievances and the action taken thereon?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** (a) The report from the State Government has been received

(b) Out of a total of 50 tenements and shop-cum-residences, 14 tenements have been transferred to the allottees and claimants at a mutually agreed price and 30 more are under transfer. Applications in regard to the remaining tenements and shop-cum-residences are under consideration.

(c) Yes.

(d) A statement in regard to the grievances of the allottees is placed on the Table of the Lok Sabha. [See Appendix V, annexure No. 23]

These grievances were examined carefully but no action in regard to them was considered to be necessary.

**Shrimati Parvathi Krishnan:** In reply to part (b), the Minister has stated that it was on an agreed basis that these transfers took place. Is it not a fact that there have been complaints about the price and the transfer has been made to people other than refugees, and evaluation was not done in accordance with the agreement on the basis of which the Government gave loan originally?

**Shri Mehr Chand Khanna:** I believe the hon Member's information is not correct. We have made enquiries from the State Government and we have been told that the price fixed is the proper one. As I have just said, 14 tenements have already been sold; 30 are in the process of sale. It means that 44 out of 50 have been sold. Practically the whole problem has been solved.

**Mr. Speaker:** Have they been sold to displaced persons?

**Shri Mehr Chand Khanna:** According to my information, they have all been sold to displaced persons.

**Shri Kodiyan:** May I know the reason for the difference in price of these quarters even though the quarters are of the same type?

**Shri Mehr Chand Khanna:** That could not be so because, as I have just stated, there are tenements and shop-cum-residences. According to my knowledge and experience, shop-cum-residences have a much larger area.

### Tea Delegation to Afghanistan

\*1641. Shri Hem Raj: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1281 on the 28th August, 1957 and state:

(a) by what time it is proposed to send a tea delegation to Afghanistan; and

(b) what will be its composition?

The Minister of Commerce (Shri Kanungo): (a) and (b). The delegation will consist of the Chairman, Tea Board and representatives of green tea producers and tea trade. Their programme has not yet been decided.

Shri Hem Raj: Will the sending of the delegation be expedited?

Shri Kanungo: Yes.

Shri Hem Raj: In view of the fact that most of the green tea is grown by the small tea growers in the Kangra district will their representatives also be included in the delegation?

Shri Kanungo: Yes.

Shri Hem Raj: May I know whether the elected representatives from those areas, either in Parliament or in the State legislature, will be included?

Shri Kanungo: Not necessarily. The representatives will be chosen from amongst the growers.

श्री भूषण वर्णन : क्या मेरे जान सकता हूँ कि इस देलीगेशन में केवल कांगड़ा के हरी चाय पैदा करने वाले लोग रखे जायेंगे या देहरादून और कुमाऊँ फिलोजन के लोग भी रखे जायेंगे क्योंकि वहाँ भी हरी चाय पैदा होती है?

श्री कानूनसाही : जहाँ ज्यादा पैदा होती है या जहाँ से ज्यादा व्यापार होता है उसी जगह से आदमी चुने जायेंगे।

Shri A. C. Guha: May I know whether, from the cess fund collected for publicity and propaganda, any allotment has been made to Afghanistan and Middle East countries?

Shri Kanungo: For Middle East countries, plenty of funds have been allotted. I have not got the actual figure with me. As far as Afghanistan is concerned, I am not aware of it.

### Hungary

\*1642. Shri Shree Narayan Das: Will the Prime Minister be pleased to state whether it is a fact that the report of the U.N. Commission for Hungary is going to be discussed in a special session of the U.N. Assembly just before the Assembly meets under its normal Schedule?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Yes, Sir. It is likely to be discussed in the renewed 11th Session of the General Assembly meeting in New York on the 10th September, 1957.

Shri Shree Narayan Das: May I know whether any specific resolution on behalf of any member-nation has been circulated to member-states for consideration?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): I am told that various informal approaches have been made by countries in informal drafts, but to our knowledge, no formal circulation has taken place.

Shri Shree Narayan Das: May I know whether any instructions have been sent to our representative there as to what the attitude of the Government of India will be on this issue?

Shri Jawaharlal Nehru: Yes.

Shri C. D. Pande: Have any instructions on the lines of the views expressed by our Prime Minister in Scandinavian countries been issued to our delegation?

Shri Jawaharlal Nehru: I do not know what the hon. Member means by referring to Scandinavia in this respect. We have given expression to our views in this matter in this House. I have given it very clearly and definitely, and instructions are on those lines.

**Shri C. D. Pande:** The views expressed in Scandinavia were more expressive and better.

**Shri T. K. Chandhuri:** Has there been any proposal from the U.N. or the President of the U.N. General Assembly to send Shri V. K. Krishna Menon to Hungary?

**Shri Jawaharlal Nehru:** No, Sir.

**Shri H. N. Mukerjee:** Since this report has been compiled on defiance of the sovereign rights of Hungary, a member of the U.N., will Government consider registering a special protest at least as a safeguard against action which is not unlikely and somewhat analogous, by powers enjoying a majority in the United Nations against India's sovereign interests in regard to Kashmir?

**Shri Jawaharlal Nehru:** In these matters, it is very dangerous for people who live in glass houses to throw stones.

**Shri Panigrahi:** May I know whether the Government of India has in view the submission of any new proposal before the U.N. when the question of Hungary comes up, in view of the fact that Prince Wan of Thailand is being proposed to be sent to Moscow and Budapest for getting compliance with the U.N. resolution on Hungary?

**Shri Jawaharlal Nehru:** No, we have no particular proposal in view.

#### Slum Clearance in Madras State

\*1648. **Shri Balakrishnan:** Will the Minister of Works, Housing and Supply be pleased to state the amount which has been granted to Madras State as subsidy for slum clearance so far?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** A sum of Rs. 6,61,495 has been approved for payment as subsidy, in instalments, at prescribed stages of the progress of work against projects sanctioned so far.

**Shri Balakrishnan:** What is the share of the State Government in the scheme?

**Shri Anil K. Chanda:** According to the scheme, the State's share of the subsidy has to be of the same amount as the subsidy made by the Central Government. In this case, the Central Government subsidy is Rs. 6,61,000.

**Shri Balakrishnan:** How many schemes have so far been taken up?

**Shri Anil K. Chanda:** There were 10 schemes sent up by the Madras Government. All the 10 have been sanctioned. So far as the people of these slums are concerned, they are not being dislocated; they are being given accommodation in the same area.

**Shri Thimmaiah:** May I know whether Government propose to set up a slum clearance committee, and if so, whether the proposal has been finalised?

**Mr. Speaker:** This relates to Madras State.

**Shri Anil K. Chanda:** Slum clearance is essentially a responsibility of the States. So far as the Centre is concerned, we only give subsidy and loan to help them.

**Shrimati Parvathi Krishnan:** The Minister in his reply referred to projects being undertaken by the Madras Government. May I know where these projects are situated?

**Shri Anil K. Chanda:** As far as I know, all the 10 projects so far sanctioned are in Madras City itself.

**Shri Balakrishnan:** May I know whether it is the policy of the Central Government to intensify slum clearance work only in city area or will it also include rural areas?

**Shri Anil K. Chanda:** The Central Government are not really in the picture. It is for the State Governments to decide where they want to carry out slum clearance work first.

**Shrimati Parvathi Krishnan:** Have the Central Government received any representation from other areas in Madras State with regard to projects being taken up?

**Shri Anil K. Chanda:** Uptill now, we have received altogether from all parts of India over 85 schemes. 15 have been sanctioned, 7 are being processed for being sanctioned; 45 have had to be referred back to the States. I cannot say whether any more schemes from Madras are before us.

**Shri B. K. Gaikwad:** The hon. Minister has said that slum clearance is the duty of the State Governments. Here the Central Government are getting passed several pieces of legislation and compelling State Governments to do the needful in this matter. So if the advice of the Central Government is refused by a State Government, what action are the Central Government going to take?

**Mr. Speaker:** It is hypothetical; need not be answered

#### Manufacture of Vitamins

\*1644. **Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have prepared any scheme for the manufacture of vitamins;

(b) if so, the nature of the scheme; and

(c) the cost involved in implementing it?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c) Different schemes for manufacture of vitamins and synthetic drugs are under consideration. It is too early to say anything definite about the cost estimates.

**Shri Ranga:** Are these to be State schemes or private enterprises?

**Shri Manubhai Shah:** It has been stated several times on the floor of the House that the Government of India intend to establish a well-integrated central basic drug industry in the country in the public sector, and it is in that connection that these schemes are under consideration. They will also take care to see that the penultimates, complexes and end-products are made by the 93 more

well-established factories in the country manufacturing pharmaceuticals in the private sector.

**Shri V. P. Nayar:** In view of the fact that at present we are obliged to import vitamins to the tune of well over Rs. 1 crore, have Government explored the possibility of exploiting plants with vitamin contents such as anacardium, and cymbopogon for the synthesis of riboflavin and ascorbic acid?

**Shri Manubhai Shah:** Yes, the hon. Member is right. We are importing Rs. 2·25 crores worth of vitamins and vitamin products every year. As I said, it is our intention to see that this basic drug industry is established in the public sector in the interest of the consumers, to give them the lowest and the cheapest possible drugs of the highest quality. At the same time, we also try to see that the herbs, lemon grass oil, shark liver oil and various natural raw materials that are available in the country will be utilised in these plants.

**Shri Mahanty:** Which foreign countries have offered assistance to the Government of India for setting up this factory in the public sector?

**Shri Manubhai Shah:** As the House is aware, the Soviet Union has offered us; the United States has offered us; West Germany has offered us; also East Germany, U.K. and several other countries.

#### SHORT NOTICE QUESTIONS AND ANSWERS

**Intervention of Pakistan Police during Rajasthan Police encounter with dacoits**

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S.N.Q. No. 24.	<b>Shrimati. Renu Chakravarty:</b> <b>Shri Harish Chandra Mathur:</b> <b>Shri H. C. Sharma:</b> <b>Shri D. C. Sharma:</b> <b>Shri Raghunath Singh:</b>
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**Will the Prime Minister be pleased to state:**

(a) whether it is a fact that Pakistan police opened fire on Indian police on the 25th August, 1957 while the latter

were chasing dacoits on Jaisalmer border;

(b) the number of casualties, if any; and

(c) the action taken in this regard?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Yes, Sir A Pakistani force surrounded and fired on a party of Rajasthan Armed Police when it was engaged in action against a gang of dacoits at a place one mile inside Indian territory from the Indo-Pakistan border.

(b) Three men of the Rajasthan Armed Constabulary including a Deputy Superintendent of Police and two other persons were wounded as a result of the firing by the Pakistani force.

(c) The action to be taken will be decided when full information is available. A full report is awaited from the Rajasthan Government.

**Shrimati Renu Chakravarty:** In view of the large number of such border incidents and shootings that have taken place, may I know if there is any proposal to discuss mutually steps whereby there may be minimisation if not complete elimination of these incidents?

**Shri Jawaharlal Nehru:** Discuss with the Pakistan Government?

**Shrimati Renu Chakravarty:** Yes, Sir.

**Shri Jawaharlal Nehru:** We have discussed with them. There are rules laid down for discussion by local officials. I am afraid a number of these border incidents are in the nature of smuggling and dacoity which often occur on national borders. But the unfortunate part, perhaps is that the dacoits going from our side to the other side are given some shelter on the other side and encouragement.

**Shrimati Renu Chakravarty:** In the answer which the Prime Minister gave, if I have heard him correctly, he said

that the Pakistani Police actually surrounded our Police. If that is so, are we to take it that it was not merely a question of giving protection to dacoits but they were actually preventing our people from preventing the dacoits going over there?

**Shri Jawaharlal Nehru:** That is the answer I have given; that is the present information. We are getting fuller report of it. According to this information, it was within one mile of the border.

**Shri Harish Chandra Mathur:** May I know whether any steps are being taken and any assistance being given by the Central Government to make adequate patrol arrangements on the border because the Rajasthan Government is handicapped for making arrangements because it is already spending the highest on its administration and the per capita expenditure on the administrative side is the highest....

**Mr. Speaker:** The hon Member would confine himself to the question and not add reason or ground.

**Shri Jawaharlal Nehru:** The hon Member has been repeating it three times.

**Mr. Speaker:** The hon. Member may proceed to put the question. He need not tack on a 'Statement of Objects and Reasons' to his question.

**Shri Jawaharlal Nehru:** I have understood the hon. Member's question. He need not take the trouble of repeating it again and again.

I believe I cannot give a precise answer. But, I believe the Central Government is certainly interested in border patrolling and in some measure it helps.

**श्री ४० लाठ बाह्यपाल :** क्या यह सही है कि पाकिस्तान के बांडर पर जो भारतीय मुसलमान रहते हैं, तस्कर व्यापार और उकैतियों में अधिकतर उन्हीं लोगों का हाथ रहता है ?

**स्त्री अवाहरनाल नेटज़ी:** पाकिस्तान की तरफ जो कुछ सोग रहते हैं, या हिन्दुस्तान की तरफ राजस्थान में रहते हैं, राजपूत वर्गीरह, उनमें किसी एक तरफ डॉक्टरी की मानोपली नहीं है—यह दोतरफा कोशिश होती है।

**Shri Harish Chandra Mathur:** Is it not a fact that the Rajasthan Government has been asking for assistance for the last 5 years to enable them to strengthen their border police arrangements and no assistance has so far been given?

**Shri Jawaharlal Nehru:** We get these requests for assistance of various kinds from every State regularly. I cannot precisely say for how long the Rajasthan Government has been doing this. But, I have, no doubt they must have been doing it. To some extent, it has been agreed to and the other matter will be continued to be considered as to what can be done.

**Netaji Subhash Chandra Bose**

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**Shri Ghosal:**

**S.N.Q. No. 25.** { **Shri T. K. Chaudhuri:**  
**Shri B. Das Gupta:**  
**Shri Thevar:**

Will the Prime Minister be pleased to state:

(a) whether the attention of the Government has been drawn to reports appearing in newspapers in Calcutta and Assam to the effect that Sori Maw-U alleged to be a lieutenant of Shri Phizo the leader of Naga hostiles, has recently been apprehended by our police at Nam Chhara in Assam and has made a statement to the police that Netaji Bose is still alive and that Netaji Bose and Shri Phizo held high level consultations somewhere on the Indo-Tibetan border; and

(b) whether the report as to Shri Maw-U having made any such statement is correct?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Some such reports have appeared in newspapers. It is correct

that Maw Angami and another Naga were arrested recently at Silchar in Assam. On interrogation, they stated that they had visited Burma, Chittagong, Dacca, Calcutta and other places. Maw Angami further said that he had been in correspondence with some persons in foreign countries.

(b) We have no report about Maw Angami having made a statement about the existence of Netaji Bose, nor does this occur in some of the reports appearing about him in the papers.

**Shri B. Das Gupta:** In the papers, e.g. the Hindustan Standard, a report appeared which I may just read.....

**Shri Jawaharlal Nehru:** I am aware of that. The whole question is based on that report.

**Shri B. Das Gupta:** I will just.....

**Mr. Speaker:** The hon. Members have put this question on the strength of this report and wanted an answer from the Government. The hon. Prime Minister has categorically answered that there is no reference.

**Shri Jawaharlal Nehru:** I did not say that, Sir. I said that in the fuller reports that we have got of Maw Angami's statement, this does not occur. The Hindustan Standard, of course, gives that. I have, therefore, said that some other newspapers which have reported this statement also did not say so. But, it does appear in the Hindustan Standard. Their correspondent has said so. The matter ends there. I cannot say anything except that those people who say this suffer under a hallucination.

**स्त्री अवाहरनाल :** जब कि नेताजी के सम्बन्ध में गवर्नमेंट ने शाहनवाज वर्मेशी को बिठा कर अनितम रूपा में यह निर्णय कर दिया कि नेताजी जैवित नहीं हैं, तो किर इस तरह की अमर्पुर्ण स्वर्णे कथों कैलाई जाती हैं और गवर्नमेंट उनका पूरी तरह से निराकरण कर्यों नहीं करती है ?

**स्त्री अवाहरनाल नेटज़ी :** गवर्नमेंट जिसमा नहीं लेती कि सारे हिन्दुस्तान में खब सोच अबलम्बन है ।

**Publication of Phizo's letter in U.S.  
Paper**

S.N.Q.  
No. 26.

Shri Shree Narayan Das  
Dr. Y. S. Parmar:  
Shri H. N. Mukerjee:  
Shrimati Renu Chakravarty:  
Shri M. Elias:

Will the Prime Minister be pleased to state:

(a) whether the attention of the Government of India has been drawn to the publication of a letter in the 'New York Times' on the 2nd September, 1957 purporting to have been written by Mr. Phizo, the Naga rebel leader;

(b) if so, what is the reaction of the Government of India;

(c) whether any and if so, what steps have been taken to counteract the wrong impression that it might have created there; and

(d) whether the authentic text of the said letter as published in the 'New York Times' is available?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). Government have seen the Reuter message referred to by the Hon'ble Member. They have also seen the text of the letter purporting to have been written by Phizo in the 'New York Times' of September 2.

(c) and (d). The letter contains a number of false allegations and it is clearly propagandist in character. We are asking our Embassy in Washington to write to the 'New York Times', giving the correct facts.

**Shri Shree Narayan Das:** May I know whether the Government has been able to ascertain with regard to the authenticity or otherwise of this letter?

**Shri Jawaharlal Nehru:** It is not possible for us to say definitely whether it is authentic or not; it is quite likely it may not be. Mr. Phizo is an

absconder and I conceive he can send it or somebody can send it on his behalf.

**Shri Ranga:** Has any Press statement been issued in our own country contradicting it? It does a lot of mischief.

**Shri C. D. Pande:** Nobody reads it.

**Shri Jawaharlal Nehru:** I do not think any detailed statement is issued; it is possible a brief contradiction might have been issued but I am not quite sure.

**Shri H. N. Mukerjee:** May I know if the Prime Minister has satisfied himself that the U.S. Government which has friendly relations with us can or cannot put forward the plea of freedom of the Press to shield the publication, at a very difficult time for India, of a mischievous correspondence from a person engaged in subversive activities and if not what diplomatic steps he contemplates taking?

**Shri Jawaharlal Nehru:** I do not think the U.S. Government has anything to do with this matter. It is a fact that the Press in the United States publishes things which are not sometimes to the liking of the U.S. Government. They may not be liked. But, there is no question of our protesting to the U.S. Government about some publication in one of the newspapers there.

**Shrimati Renu Chakravarty:** May I know if the attention of the Government has been drawn to one of our own papers, though with a limited circulation, *Christian Times*, which may have some circulation among the Christians in India where this letter to the 'New York Times' has got bold headlines and the entire thing has been reproduced? As it is necessary to clear that position, may I know whether the Government proposes to make a clarification on the entire subject?

**Shri Jawaharlal Nehru:** No, Sir. I was not aware of this publication nor have I heard of this periodical to which the hon. Member has referred.

I should be grateful if she would pass it on to me.

**Shri Y. S. Parmar:** Is it a fact that a certain foreign power has been behind the demand for a separate Naga State?

**Mr. Speaker:** How does it arise out of this question?

**Shri Jawaharlal Nehru:** I am not aware of it.

**Shri Y. S. Parmar:** Is it a fact that the Naga chiefs and representatives of the Nagas met at a convention and gave up the demand for a separate State and have decided to have a State within the Indian Union?

**Mr. Speaker:** How does it arise out of this question? Does the letter in the *New York Times* contain all that? Next question.

#### Kashmir Issue

**S.N.Q. No. 27. Shri Shree Narayan Das:** Will the Prime Minister be pleased to state:

(a) whether the attention of the Government of India has been drawn to a Pakistan Government Information Department hand-out, giving the Foreign Minister's views regarding solving Kashmir issue which suggests the stationing of U.N. force to guard the cease-fire line;

(b) if so, whether any copy of the hand-out has been procured for scrutiny; and

(c) the reaction of Government in this regard?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Government have seen a press report on the subject.

(b) A copy of this hand-out is being obtained

(c) It has been made perfectly clear on many occasions that India will under no circumstances allow any foreign force on her territory.

**Shri Shree Narayan Das:** May I know whether it is known to the Gov-

ernment of India whether any member of the Security Council is going to put forward any specific resolution when the Jarring Report will be considered there?

**Shri Jawaharlal Nehru:** I do not know. How am I to answer that question? I cannot enter into the minds of other Governments and members of the Security Council. Presumably some members will put forward resolutions as they function.

**Shri Mahanty:** While appreciating what the Prime Minister has said now that India will refuse to the landing of any foreign troops in the Indian territory, may we know why the Government of India was silent when the U.N. forces were sent to Gaza strip in Middle-East?

**Mr. Speaker:** Syria and Middle-East? Are they part of Kashmir?

**Shri Mahanty:** No, Sir. It is about the U.N. forces...

**Mr. Speaker:** I understand the question but it does not arise out of this question

#### WRITTEN ANSWERS TO QUESTIONS

##### Industrial Committee on Mines

\*1626. **Shri T. B. Vittal Rao:** Will the Minister of Labour and Employment be pleased to state:

(a) whether the Industrial Committee on Mines other than Coal Mines will be convened to discuss the draft legislation constituting the Manganese Mines Labour Welfare Fund Organisation; and

(b) if not, how Government propose to consult the workers' organisation in this regard?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Such a Committee has not been constituted so far.

(b) The proposal to constitute the Manganese Mines Labour Welfare Fund will be placed before the next meeting of the Standing Labour Committee.

**Violation of Air Space by Pakistan Aircraft**

\*1633. Shri D. C. Sharma: Will the Prime Minister be pleased to state:

(a) whether a fast moving jet aircraft with markings believed to be those of the Pakistan Air Force was seen flying over the Jammu area on the morning of the 22nd August, 1957; and

(b) if so, whether any protest has been lodged against this violation?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):  
(a) Yes, Sir.

(b) A complaint about this violation has been lodged with the U.N. Military Observers' Team in Jammu.

**अम्बर चर्खा**

\*१६३६. श्री भ० दो० मिश्र: क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अम्बर चर्खा जांच समिति ने अम्बर चर्खे की सहायता से रुई की धुनाई एवं पूनी बनाने के लिये कोई व्यवस्था करने के प्रश्न पर विचार किया है; और

(ख) यदि नहीं, तो क्या सरकार का इस सम्बन्ध में कुछ करने का विचार है?

वाणिज्य मंत्री (श्री कान्तनगो): (क) और (ख). अम्बर चर्खा जांच समिति ने कलाई से पहले रुई की धुनाई और पूनी बनाने के प्रश्न पर विचार किया था। अम्बर चर्खे में तीन यूनिट होते हैं जो रुई की धुनाई पूनी बनाने और सूत कातने के काम आते हैं। वस्त्र उद्योग सम्बन्धी प्रयोगशालाओं में इन तीनों यूनिटों की परीक्षा कराने के बाद समिति इस नसीजे पर पहुंची कि 'धुनाई मोडिया' तथा 'अम्बर बेलनी' से भी कुछ अंशों में सूत की किस्म में खराबी आती है। इस लिए उसने यह विशेष रूप से तिकारिश की कि सारे अम्बर चर्खे में और लास तीर से धुनाई

तथा पूनी बनाने के यूनिटों में सुधार करने के लिए और भी गवेषणा तथा सोजारीन करने की जरूरत है। इस उद्देश्य से लगातार गवेषणा तथा परीक्षण हो रहे हैं।

**Indian Workers in Borneo**

\*1645. Shri Warior: Will the Prime Minister be pleased to state:

(a) the conditions imposed upon skilled workers who are recruited and sent to Sarawak Oil fields and allied companies in Borneo;

(b) whether Government have recently received any complaints regarding discrimination or ill-treatment meted out to Indian workers there; and

(c) if so, the steps taken by Government to remedy the situation?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) Recruitment of skilled workers by the Sarawak Oil Fields and allied companies in Borneo is permitted on a Standard Form of Agreement approved by the Government of India. The main conditions imposed upon skilled workers under this Agreement are that:-

(i) the skilled worker will serve the company in any part of British Borneo;

(ii) he will work  $7\frac{1}{2}$  hours each day and for  $5\frac{1}{2}$  days in each week;

(iii) he will refrain from trading or from any other employment whatsoever during the currency of his agreement;

(iv) the Agreement can be terminated by either party on giving one month's notice; and

(v) in cases of disability from injury, the company shall pay adequate compensation determined according to the Workmen's Compensation Act in force at the place of occurrence, and if no such law exists, according to the Indian Workmen's Compensation Act, 1923.

(b) A complaint was received from one of the Indian employees during 1953.

(c) Government did make an enquiry and the allegations made in the complaint were found baseless.

#### Workers in Rayon Factories

\*1646. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether the survey undertaken to study the deleterious effect on the health of workers in Rayon factories has since been completed;

(b) whether a copy of the report of the survey will be laid on the Table; and

(c) what action Government propose to take on the report?

The Deputy Minister of Labour (Shri Abid Ali): (a) Not yet.

(b) Copies will be supplied to the Parliament Library as usual, as soon as the Report becomes available.

(c) The matter will be considered on receipt of the results of the survey.

#### Spurious Khadi

\*1647. Shri B. S. Murthy: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any steps are being taken to eliminate spurious khadi getting into the certified khadi depots; and

(b) if so, the nature thereof?

The Minister of Commerce (Shri Kanungo): (a) and (b). Yes, Sir. There is a system of certification of khadi under which certificates are issued only to such public charitable institutions or co-operative societies as are formed only for the propagation of handspinning or handweaving and have no interest in the mill industry. Weavers are registered for getting the yarn woven into cloth. Weavers who use mill yarn are not registered. Periodical inspections are made so as to ensure that no mill yarn is used.

Under the above arrangements it is normally difficult for spurious khadi

to enter the certified khadi sales depots, which are required to purchase khadi only from certified production centres. Any default in this respect results in the cancellation of the Certificate.

In addition, the provisions of the Khaddar (Protection of Name) Act, 1950, serves as a deterrent to the sale of spurious Khadi.

#### Dandakaranya Rehabilitation Scheme

\*1649. { Dr. Ram Subhag Singh:  
                  Shri S. M. Banerjee:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether Government have since approved of the Dandakaranya scheme for the rehabilitation of East Bengal displaced persons;

(b) if so, whether any agency has been set up to execute that scheme;

(c) whether Government have sanctioned any grant for commencing the execution of that scheme; and

(d) if so, the amount sanctioned for that purpose?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Government have generally approved of the idea of developing the area called Dandakaranya.

(b) to (d). A Chief Executive Officer is to be appointed shortly who will arrange for a detailed survey of the selected areas with the help of a team of experts. On receipt of the report of this officer, proposals regarding the machinery to be set up to develop these areas together with an estimate of the cost will be formulated.

#### Development Works in Nepal

\*1650. { Shri Shree Narayan Das:  
                  Shri Radha Raman:  
                  Shri Bibhuti Mishra:  
                  Shri Mohan Swarup:

Will the Prime Minister be pleased to state:

(a) whether any negotiations are being carried on by Nepal with India

and U.S.A., to have an agreement to pool their resources and efforts to carry on some developmental work in Nepal;

(b) if so, the nature of work that is proposed to be undertaken; and

(c) the financial aspect of the question?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):** (a) to (c). There is no proposal for the general pooling of resources, as suggested. In regard, however, to construction of some roads in Nepal, there is a proposal to have an agreement between the Governments of India, Nepal and the United States of America. The Government of India's contribution in this matter has not yet been finalised. Whatever this may be, it will have to come out of the total economic aid of rupees ten crores which has already been promised to Nepal. No additional contribution is contemplated.

### Silk

\*1651. **Shri B. S. Murthy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether large stock of silk produced by the Co-operative Societies in Andhra Pradesh is lying unsold; and

(b) if so, the reasons for the same and the steps taken to give relief to the Co-operative Societies?

**The Minister of Commerce (Shri Kanungo):** (a) The reference presumably is to silk handloom fabrics. If so, Government have not received any reports of large accumulated stocks.

(b) Does not arise.

### Aid for Industrial Development

1428. **Shri Sugandhi:** Will the Minister of Commerce and Industry be pleased to refer to Demand No. 2, Industrial Development Grants to Private Parties on page 13 of Demands for Grants for the year 1957-

58', Vol. I and lay a statement showing the names of parties and the amount paid to each of them by the Government of India as grants in the Karnataka Districts of Bijapur, Dharwar and Belgaum during the years 1955-56, 1956-57 and 1957-58?

**The Minister of Industry (Shri Manubhai Shah):** No grants were paid to private parties in the Districts of Bijapur, Dharwar and Belgaum during these years.

### Self Sufficiency in Essential Medical Equipment

1429. **Shri D. S. Raju:** Will the Minister of Commerce and Industry be pleased to state:

(a) the extent to which India is self-sufficient in essential medical equipment such as surgical equipment, X-Ray films and photographic material; and

(b) the steps taken by Government in this regard?

**The Minister of Industry (Shri Manubhai Shah):** (a) The entire requirements of X-ray film and other photographic materials are met by imports. Certain types of surgical equipment are being manufactured on a small scale but the country has still to depend to a large extent on imports.

(b) The National Industrial Development Corporation are examining a scheme to set up a factory for the manufacture of cine and X-Ray films and photographic paper in collaboration with a foreign firm.

A Panel set up by Government has examined the possibilities of manufacturing Surgical Appliances in India and has made certain recommendations. These are under examination.

### Skilled Workers

1431. **Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state:

(a) whether there is dearth of skilled and highly skilled workers in the country; and

(b) if so, what steps are being taken to meet this situation?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) Yes.

(b) Existing facilities for the training of Craftsmen are being expanded.

### Cement

**1432. Shri A. C. Guha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of cement handled by the State Trading Corporation of India (Private) Ltd., so far with break-up of imported and indigenous cement;

(b) the different items which have contributed to the fixation of price of cement by the Corporation; and

(c) the quantity of cement estimated to be imported and the loss to be incurred on that account?

**The Minister of Commerce (Shri Kanungo):** (a) The quantities of cement handled by the State Trading Corporation are as follows:—

(i) Imported cement, 2,36,700 tons (upto the 31st July, 1957).

(ii) Indigenous cement, 51,54,335 tons (upto the 30th June, 1957).

(b) The following items have been taken into account while fixing the price of the cement:—

(i) Price payable to the producers of indigenous cement

(ii) Excise duty

(iii) Packing charges.

(iv) Freight.

(v) Loss on imported cement.

(vi) Contingencies etc

(c) A total quantity of about 7 lakh tons of cement is estimated to be imported upto the end of March, 1958, and the estimated cost to be incurred on this quantity is likely to amount to Rs. 3.5 crores.

### Handlooms and Powerlooms

**1433. Shri A. C. Guha:** Will the Minister of Rehabilitation and Minority Affairs be pleased to state the number of handlooms and powerlooms in the production centres?

**The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna):** The information is being collected and will be laid on the Table of the Lok Sabha in due course.

### Thrift-Fund for Handloom Weavers

**1434. Shri M. V. Krishna Rao:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Government of Andhra Pradesh have recommended a scheme for the introduction of a thrift-fund for the benefit of Weavers in the Weavers' Co-operatives in that State;

(b) if so, the details thereof; and

(c) the action taken in the matter?

**The Minister of Industry (Shri Manubhai Shah):** (a) Yes, Sir.

(b) The object of the scheme was to promote thrift in weavers' co-operative societies and to create an incentive among weavers to contribute to thrift deposits. The proposal envisaged among other things the credit to the accounts of the members, a sum equivalent to their thrift collection on more or less the same lines as provident fund contributions to workers in industrial concerns. The scheme involved a grant for Rs. 4 lakhs in the year 1957-58.

(c) The scheme was returned to the State Government as the general principles of subsidising such thrift funds had not been accepted by the Government of India.

### Handloom Weavers Congress, Nidubrolu (Andhra)

**1435. Shri M. V. Krishna Rao:** Will the Minister of Commerce and Industry be pleased to lay on the Table a copy of the memorandum dated the 21st January, 1957 submitted by the Andhra State Handloom Weavers Congress, Nidubrolu and state:

(a) the action taken thereon;

(b) whether the Government of Andhra Pradesh have forwarded their reactions in the matter; and

(c) if so, the details thereof?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). No such memorandum has been received by the Government of India.

#### Unemployment in Andhra Pradesh

**1436. Shri M. V. Krishna Rao:** Will the Minister of Planning be pleased to state the amount given to Andhra Pradesh to relieve unemployment, the details of the schemes which were prepared by the State and the success achieved in relieving unemployment during the First Five Year Plan?

**The Deputy Minister of Planning (Shri S. N. Mishra):** A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 24]

#### Government Advertisements

**1437. Shri Kumaran:** Will the Minister of Information and Broadcasting be pleased to state:

(a) the names of newspapers and periodicals in Kerala which receive Central Government advertisements; and

(b) the amount paid to each of such newspapers and periodicals on that account during the year ending the 31st March, 1957?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). Advertisements are given to the newspapers and periodicals according to the requirements of each release and no list is maintained. It is also not desirable in public interest to publish such a list as it might lead to recrimination amongst papers. The total amount paid to newspapers in Kerala on account of advertisement charges during the year ending 31st March, 1957 is Rs. 35,007.

#### Industrial Development of Assam

**1438. Shri Bhagavati:** Will the Minister of Commerce and Industry

be pleased to refer to the reply given to Starred Question No. 1942 on the 12th September, 1956 and state:

(a) whether any of the industries proposed under the Second Five Year Plan have already been set up in Assam and if so, what is the progress;

(b) what financial aid has been asked for by the State Government for these industries;

(c) what amount has been sanctioned by Government as loans and grants;

(d) whether the Assam Co-operative Sugar Mill has asked for financial help either as loan or grant from the Government of India; and

(e) if so, the action proposed to be taken in the matter?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (e). The Second Five Year Plan of Assam State provides for an amount of Rs. 133 lakhs for the establishment of a Textile Mill, a Jute Mill, a Spun Silk Mill and a Sugar Mill. The progress made in the establishment of these undertakings and details of the financial assistance afforded for their establishment are indicated below:

(1) **Textile Mill**—The undertaking has been licensed under the Industries (Development and Regulation) Act, 1951 for the establishment of 25,000 spindles. The State Government propose to subscribe 40 per cent. of the total capital structure of the Company.

(2) **Spun Silk Mill**—The Assam State Government have issued administrative approval and financial sanction for Rs 12,80,000 for the construction of the factory and other buildings for the establishment of Spun Silk Mill in the State. Land is being acquired for the purpose. Order for the machinery available from indigenous sources has been placed and the possibility of procurement of other machi-

nery from Japan on deferred payment basis is being explored. The Government of India propose to give a loan of Rs. 20 lakhs to the Assam State Government for working capital required for implementation of the scheme.

- (3) **Sugar Mill**—The Assam Co-operative Sugar Mill has been licensed under the Industries (Development and Regulation) Act, 1951 for the establishment of a Sugar factory. A loan of Rs. 10 lakhs has already been sanctioned to the State Government for subscribing towards the share capital of the Co-operative Sugar Mill. No further request for loan has been received from the State Government.
- (4) **Jute Mill**—M/s. Assam Jute Mills has been given a licence for installation of 300 looms for the production of 5,400 tons of Jute manufacture per annum. Sufficient progress has been made in the establishment of Jute Mill in Assam State and it is expected to go into production in 1958-59.

A statement showing the number of licences issued for the establishment of new undertakings and for expansion of existing undertakings in Assam State during the years 1952 to 1955 and 1956 and 1957 (upto May) is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 25.]

#### Ware-houses for Coir Yarn

**1439. Shri Kumaran:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have any proposal for establishing licensed ware-houses to handle coir yarn; and

(b) if so, the steps taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) The Coir Board have made such a proposal.

(b) The matter is under examination.

#### Coir Spinning Machines

**1440. Shri Kumaran:** Will the Minister of Commerce and Industry be pleased to state whether Government have any scheme to manufacture an improved variety of coir spinning machine to replace the traditional wooden ratts?

The Minister of Industry (Shri Manubhai Shah): The Coir Board are at present examining the question of production cost of improved model of Coir Spinning Machine and possibility of improvement in mechanism and efficiency of the machine.

#### Coir Markets

**1441. Shri Kumaran:** Will the Minister of Commerce and Industry be pleased to state whether there is a proposal to explore new markets with regard to coir goods in Central and East Africa where immense possibilities for increasing consumption of coir floor coverings are said to be in existence?

The Minister of Industry (Shri Manubhai Shah): The Coir Board has under examination a proposal to conduct market survey relating to Coir Goods in Central and East Africa. Details of areas to be covered and the cost of survey etc. have not yet been worked out.

#### स्वेच्छ नहर

**१४४२. श्री राम सौ तिवारी:** क्या प्रशान्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत आने वाला साधारण और अन्य सामान स्वेच्छ महर के जगड़े के कारण रोक दिया गया था;

(ख) क्या आने वाला साधारण रोक दिये जाने के कारण माल भाड़े के अतिरिक्त विलम्ब-शुल्क भी देना पड़ा था; और

(ग) स्वेच्छ नहर के बन्द होने के कारण भारत को सामान्य माल भाड़े के अतिरिक्त और कौन कौन से कर देने पड़े ?

**वैदेशिक कार्य उत्तराधी (विद्यमान सकारी मेमन) :** (क) जी नहीं।

(ल) स्वेच्छ नहर बन्द हो जाने के कारण कोई विलम्ब-शुल्क (डेमरेज) नहीं दिया गया।

(ग) अब तक जो सूचना इकट्ठी की गई है, उसके अनुसार स्वेच्छ नहर बन्द हो जाने के दौरान में गुह होप अंतर्रीप के रास्ते होकर और हवाई जहाज से गल्ला और दूसरा माल भांगने पर ₹ १.४० लाख रुपए (अनुमानित) का अधिक लाभ हुआ।

#### Small Scale Industries Management Association

**1443. Pandit D. N. Tiwary:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a Small Scale Industries Management Association has been formed in New Delhi;

(b) whether it is a Government sponsored and Government-aided institution; and

(c) if so, the nature of control of Government?

**The Minister of Industry (Shri Manubhai Shah):** (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise

#### Technical Personnel for A.I.R.

**1444. Shri Sanganna:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the technical personnel required for the installation of new transmitters of All India Radio have been provided to any extent so far; and \*

(b) if so, to what extent?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) and (b). It has not been possible to get suitable personnel to fill all the

posts of Assistant Engineers and Technical Assistants in the A.I.R. The qualifications required are such that the requisite numbers are not forthcoming. In view of the great demand for such personnel, however, it has been decided to take up slightly less qualified persons and give them training for a specified period so that they become capable of doing the work for which the higher qualified personnel were being recruited. These personnel are called Shift Assistants.

#### Export of Onions

**1445. Shri Tangamani:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of onions exported from the State of Madras during the years from 1951 to 1957 (upto 31st July, 1957) (year-wise);

(b) whether any export permits are issued to the category known as 'Political Sufferers'; and

(c) the quotas allotted to the licensed traders, Co-operative Societies and Political Sufferers during the above period?

**The Minister of Commerce (Shri Kanungo):** (a) A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 26].

(b) No, Sir.

(c) A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 27].

#### Bharati Mills, Pondicherry

**1446. Shri Tangamani:** Will the Prime Minister be pleased to state:

(a) whether the management of Bharati Mills, Pondicherry have paid bonus to the workers for the year 1956 as per Award;

(b) if not, the steps taken in this regard; and

(c) what is the position of 1956 bonus issue of Rodier Mills, Pondicherry?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) and (b). A bonus was awarded in favour of the workers of the Bharati Mills by an Expert appointed under the appropriate Labour Code in respect of 1955 and not 1958. The Award, is in the nature of a court decree and the workers can realise their dues through the competent judicial authorities. Some workers have already done this. As for the others, the management is reported to be negotiating with the Unions concerned for paying the bonus in two instalments.

(c) No claims for bonus by the workers of the Rodier Mills for 1958 has yet been claimed and none has been awarded.

#### Gymkhana Club, London

**1447. Sardar A. S. Saigal:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Indian Gymkhana Club at Osterly in London has been destroyed by fire;

(b) what was the cause of fire; and

(c) the estimated loss to the club?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) Our High Commissioner in London has been informed by the Hon. Secretary to the Indian Gymkhana Club that an extensive fire on the night of Saturday, August 10, 1957 caused serious damage to the club premises destroying:

1. the Main Pavilion,
2. six dressing rooms,
3. the Groundsman's rest room,
4. the tools and machine room,
5. heavy machinery used to prepare sports grounds,
6. the boiler room and
7. the shower room.

(b) The Police authorities in London are investigating the cause of the fire.

(c) The loss is estimated to be approximately £15,000.

#### Small Industries Service Institute, Trivandrum

**1448. Shri Warior:** Will the Minister of Commerce and Industry be pleased to state:

(a) how many schemes submitted by the Small Industries Service Institute at Trivandrum were rejected by Government; and

(b) the reasons for rejection?

**The Minister of Industry (Shri Manubhai Shah):** (a) The attention of the hon. Member is invited to the answer given on the floor of this House on 5th August, 1957 to Starred Question No. 635.

(b) Does not arise.

#### Cost of Living Index

**1449. Shri Tangamani:** Will the Prime Minister be pleased to state:

(a) whether all-India cost of living index is being prepared as suggested by the Gadgil Committee's report; and

(b) if so, the present cost of living index and also year-wise index since 1947?

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** (a) An all-India Cost of Living Index is regularly compiled and published by the Labour Bureau in the Indian Labour Gazette. This Index refers to working classes.

(b) The requisite information is given in the statement laid on the Table of Lok Sabha. [See Appendix V, annexure No. 28].

#### Study Group for Coal Mine Workers

**1450. { Shri M. Elias:**  
**{ Shri T. B. Vittal Rao:**

Will the Minister of Labour and Employment be pleased to state the salient features of the report of the study group appointed to enquire into various welfare measures for the workers in the coal mines?

**The Deputy Minister of Labour (Shri Abid Ali):** The main features of the suggestions made by the Study Group pertain to improving and accelerating the activities of the Fund in respect of housing, dispensary services and multipurpose institutes.

### निष्कर्षमात्रा विधों का पंजीयन

१४५१. श्री बाजरेडी : क्या पुनर्वास तथा अस्पताल्यक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि जम्मू और काश्मीर के पाकिस्तान-अधिकृत भाग के निष्कर्षमात्राविधों का पंजीयन, जो पहले आरम्भ किया गया था, रोक दिया गया है; और

(ख) यदि हाँ, तो इसके क्या कारण हैं?

पुनर्वास तथा अस्पताल्यक-कार्य मंत्री (श्री मेहर अम्ब खन्ना) : (क) यी हाँ।

(ख) काश्मीर के शरणार्थी भारत में लगभग उसी समय आये जिस समय पश्चिमी पाकिस्तान के दूसरे शरणार्थी आये थे। इन लोगों के आने के समय बिल्कुल शुरू में पुनर्वास के काम को नियमित तौर पर चलाने के लिए शरणार्थियों को रजिस्टर किये जाने को व्यवस्था की गयी। पश्चिमी पाकिस्तान के विस्थापितों का रजिस्ट्रेशन १९५४ में बन्द कर दिया गया था। परन्तु काश्मीरी शरणार्थियों का रजिस्ट्रेशन विशेष रियायत के तौर पर इस साल तक चलता रहा। तब से इन का भी रजिस्ट्रेशन बन्द कर दिया गया है क्योंकि (१) जिन्होंने अपने आप को रजिस्टर कराना था, उन्हे ऐसा करने के लिये पिछले इतने सालों में काफी समय मिल चुका था (२) पुनर्वास सहायता के दिये जाने के लिये रजिस्टर शुद्ध होने की शर्त भी अब जरूरी नहीं रही है। इस लिये रजिस्टर किये जाने की व्यवस्था अनावश्यक

सी रह गयी है। अब पुनर्वास सहायता के लिये दिये जाये प्रत्येक प्रार्थना पत्र पर विचार हर एक शरणार्थी की पात्रता के आधार पर किया जाता है, शरणार्थी के रजिस्टर शुद्ध होने या न होने से इस पर कोई असर नहीं होता।

### Export of Cotton Textiles

1452. Shri Jadhav: Will the Minister of Commerce and Industry be pleased to state how much quantity of cloth has been exported from January, 1957 to July, 1957 with particulars of superfine, fine and coarse varieties?

**The Minister of Commerce (Shri Kanungo):** Category-wise (i.e. coarse, medium, fine and superfine) quantities of mill-made cloth passed for shipment from January-July, 1957 and actual total exports from January-May, 1957 are furnished in the statement laid on the Table of Lok Sabha. [See Appendix V, annexure No. 29]

### Closure of Manganese Mines

1453. Shri Awasthi: Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that the management of the RB S.S.D. & F.N. Das Co. in Srikakulam district have closed down their manganese mines on the plea that the number of Railway wagons allotted to them was insufficient after paying compensation to the labourers on the basis of muster rolls;

(b) whether Government are aware that a large number of labourers are being deprived of compensation as the attendance register was not properly maintained by the management; and

(c) if so, the steps taken by Government for the reopening of the mines and for the payment of adequate compensation to the labourers rendered unemployed by the closure of the mines?

**The Deputy Minister of Labour (Shri Abid Ali):** (a) The management

closed their mines on the ground that accumulated stocks of ore could not be moved out due to inadequate supply of railway wagons.

(b) The allegations of the Mine workers' Union, Vizianagram that the attendance registers were not properly maintained could not be substantiated by them. A settlement has since been brought about between the parties concerned, the management having agreed to pay retrenchment compensation to the workers on the basis of the muster rolls maintained by the Company.

(c) (i) In addition to the payment of retrenchment compensation the management have also agreed to make certain *ex-gratia* payment to the workers on the basis of their annual earnings.

(ii) The management have agreed to give preference to the retrenched workers at the time of reopening their mines and also to consult the Union at the time of recruitment of workers.

(iii) The Government of India have also supplied additional wagons on the Rly. line for the transport of ore. Efforts are also being made to transport a part of the accumulated stocks of ore by road.

#### **Coal Mines Labour Welfare Officers, Dhanbad**

**1454. Dr. Ram Subhag Singh:** Will the Minister of Labour and Employment be pleased to state:

(a) whether it is a fact that large number of T.A. Bills of low paid officers under the Deputy Commissioner of Coal Mines Labour Welfare, Dhanbad are lying unpaid since 1955;

(b) if so, the reasons therefor; and

(c) whether Government will take any steps to expedite the payments of such bills?

**The Deputy Minister of Labour  
(Shri Abid Ali):** (a) A few T.A. Bills of 1955 are pending.

(b) It is mainly because of incorrect preparation of bills by the officers concerned and consequential necessity of returning them for rectification of defects. These took considerable time with the result that the bills became old and could not be passed without pre-audit.

(c) The Coal Mines Welfare Commissioner has issued necessary instructions to the staff to enable expeditious passing of T.A. bills.

#### **Residential Accommodation for Central Government Employees**

**1455. Shri Biren Roy:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of flats or other types of residential accommodation constructed for Central Government employees in Calcutta area from 1948 to December, 1956;

(b) the number of flats and/or houses of private individuals continued under requisition during the said period;

(c) how many have been de-requisitioned and how many freshly requisitioned within this period; and

(d) whether it is a fact that payment of rents remains unsettled for more than 6/7 years in the case of properties requisitioned?

**The Deputy Minister of Works,  
Housing and Supply (Shri Anil K.  
Chanda):** (a) 374 units.

(b) 316 units.

(c) From 1948 to December 1956, 23 units have been de-requisitioned and 8 units have been freshly requisitioned.

(d) There is no requisitioned house where the payment is in arrears for more than 6/7 years. However, there are some cases, where provisional payment of 80 per cent. of the amount of compensation fixed by the Government is being made pending final fixation of quantum of compensation by the Arbitrators.

**Textile Mill in Trichur**

**1456. Shri Sonavane:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a textile mill in the city of Maramukun-nathakawu (Trichur), which was closed, has been taken over by Government and run under the Government management; and

(b) if so, what are the terms and conditions and financial implications involved in this connection?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The hon. Member is presumably referring to Cochin Mahalaxmi Mills Ltd., Maramukun-nathakawu, Trichur.

No. But the High Court of Kerala has permitted the Government of Kerala to run the Mills at their own risk. The Mill was not working from 23-3-1957 due to financial difficulties. The property of this mills is hypothe-cated to Government of Kerala who are now running the mills with effect from 19-8-1957 mainly to provide employment to the workers thrown out.

**1857 Centenary Celebrations**

**1457. Shri P. K. Deo:** Will the Minister of Information and Broad-casting be pleased to state the amount spent in connection with the 1857 Centenary celebrations by way of (i) publications brought out by the Ministry; and (ii) musical concerts, drama, exhibitions, etc. held on the occasion?

**The Minister of Information and Broadcasting (Dr. Keskar):** Information is being collected and will be laid on the Table of the Lok Sabha as early as possible.

**Sericulture Industry**

**1458. Shri Siddiah:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount granted to Mysore State for the improvement of the Sericulture Industry during the years 1949-50 to 1956-57 (year-wise);

(b) the amount actually spent by the State Government; and

(c) the amount remained unspent under various schemes during the above period and the reasons there-for?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). A statement giving the information is laid on the Table of Lok Sabha. [See Appendix V, annexure No. 30].

The reasons for the full amount not being spent were:

- (1) lack of adequate technical personnel in the Sericulture Department of the State Government;
- (2) difficulties in the State Gov-ernment providing a matching provision from their own resources;
- (3) procedural delays in obtain-ing tenders for construction works, acquisition of land, etc.

**Export of Silk-waste**

**1459. Shri Siddiah:** Will the Minis-ter of Commerce and Industry be pleased to state:

(a) the total quantity of silk-waste exported during the years 1953-54 to 1956-57 from Mysore State and the quantity proposed to be exported in the year 1957-58;

(b) how many licences were issued each year to export silk waste;

(c) what are the conditions attach-ed to such licences; and

(d) how many co-operative Soci-eties were issued licences during these years?

**The Minister of Commerce (Shri Kanungo):** (a) A total quantity of 1,513,245 pounds of silkwaste of South Indian origin was exported during the years 1953-54 to 1956-57. In 1957-58 so far, a quota of 3,84,000 pounds has been released for export. It is not possible to estimate the quantity for the whole year as the export policy for the remaining period has yet been finalised.

(b) and (c). Detailed information is being collected. However, prior to the 29th September, 1956, export was permitted through 17 shippers comprising seven established exporters, four new-comers and six internal dealers. As a result of various representations from stockists, it was decided in September 1956 to permit export of silkwaste of Madras and Mysore origin through stockists up to 40 per cent. of their certified stocks as held on the 5th September, 1956. About 30 new shippers were thus brought in the export trade. The quotas released during 1957-58 have been allotted in favour of:

- (i) The Director of Sericulture, Mysore or his nominee;
- (ii) 17 established shippers; and
- (iii) small stockists, The Charkha Reelers Association and other bodies on the recommendations of the Government of Mysore in proportion to the quantity actually shipped by each of them upto the end of December, 1956.

(d) None.

#### विदेशों में भी और प्रदर्शनियाँ

१४६०. श्री यादव : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि भारत सरकार ने विदेशों में मेलों और प्रदर्शनियों में सम्मिलित होने तथा शो-रूमों और व्यापार केन्द्रों पर १५ अगस्त, १९५७ से अब तक कितना व्यय किया ?

उद्योग मंत्री (श्री मनु भाई शाह) : एक विवरण सभा पटल पर रख दिया गया है। [देखिये परिशिष्ट ५ अनुबन्ध सं० ३१]

#### गारंजीय व्यापार-शिष्टमण्डल और प्रतिनिधिमण्डल

१४६१. श्री यादव : क्या वाणिज्य तथा उद्योग मंत्र यह बताने की कृपा करेंगे कि :

(क) अगस्त, १९५७ से दिसम्बर १९५६ तक उनके मंत्रालय से सम्बन्धित

कितने भारतीय व्यापार-शिष्टमण्डल और प्रतिनिधिमण्डल विदेश में गये;

(ख) के कितने देशों में गये; और

(ग) उन शिष्टमण्डलों और प्रतिनिधिमण्डलों में से प्रत्येक में कौन-कौन व्यक्ति थे और प्रत्येक शिष्टमण्डल तथा प्रतिनिधिमण्डल पर कितना खर्च किया गया?

वाणिज्य मंत्री (श्री कानूनगो) : (क) से (ग). यह जानकारी इकट्ठी की जा रही है और सभा की मेज पर रख दी जायगी।

#### Schemes for Backward Classes

1462. Shri B. C. Kamble: Will the Minister of Planning be pleased to state:

(a) whether the representatives of the Backward Classes, Scheduled Castes and Scheduled Tribes had been consulted before formulating the Schemes for these Classes under the First and Second Five Year Plans; and

(b) if so, the names of the representatives for the organizations consulted?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (b). A statement is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 32].

#### Committees for Public Co-operation

1463. Shri R. S. Lal: Will the Minister of Planning be pleased to state:

(a) whether it is a fact that Sub-Committees have recently been formed by the Co-ordination Committee for Public Co-operation set up by the Planning Commission; and

(b) if so, the number and personnel of these Sub-Committees?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) No standing Sub-Committees have been formed by the Co-ordination Committee for Public Co-operation. Ad-hoc Committees, however, meet from time to

time to conduct preliminary examination of the Public Co-operation Schemes.

(b) A Statement showing the number and personnel of the five ad-hoc sub-committees which have met so far is laid on the Table of the Lok Sabha. [See Appendix V, annexure No. 33].

#### Funds Allotted to Marathwada Region in the Second Five Year Plan

**1464. Shri Naldurgker:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that Rs. 25 crores were allotted and allocated to the share of the Marathwada region (previous part of Hyderabad State now merged in Bombay State) by the Hyderabad Government for the implementation of the Second Five Year Plan; and

(b) if so, whether that amount has been transferred to Bombay Government?

**The Deputy Minister of Planning (Shri S. N. Mishra):** (a) and (b). The amount allotted is Rs. 25·59 crores and it forms part of the present plan of the Bombay Government

#### Coir Industry in Kerala

**1466. Shri Kumaran:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware that the coir industry in the Kerala State is undergoing a very serious crisis; and

(b) if so, the steps Government have taken to tide over the crisis?

**The Minister of Industry (Shri Manubhai Shah):** (a) Reports about fall of prices of yarn have been received.

(b) The Government of Kerala have taken steps to purchase and stock Coir Yarn upto Rs. 10 lakhs, for disposal when markets are favourable.

#### Coir Industry in Kerala

**1467. Shri Kumaran:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have any scheme for the intensive development of the coir industry in the Pilot Intensive Development Project area in the Neyyattinkara Taluk in the Kerala State; and

(b) if so, what is the present stage of implementation of the scheme?

**The Minister of Industry (Shri Manubhai Shah):** (a) and (b). The Kerala Government have submitted a scheme for development of coir industry in Neyyattinkara Pilot Intensive Development Project area and have requested for financial assistance for implementation of the scheme. The scheme is under examination.

#### Oil Crushing Machine

**1468. Shri B. D. Mishra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any small machine to crush pure mustard oil has been invented and made available anywhere which can crush out at least a quarter seer of oil every day for domestic use;

(b) if so, the place where it has been made available and at what price; and

(c) if the reply to part (a) is in the negative, whether Government would consider the manufacture of such a machine that is essential for every home?

**The Minister of Industry (Shri Manubhai Shah):** (a) No small machine of this description for crushing mustard oil at home has come to the notice of Government.

(b) Does not arise.

(c) The Madhya Pradesh Khadi and Village Industries Board to which financial assistance is made available by Government, is understood to be trying to evolve a suitable machine at its ghani manufacturing workshop at Ujjain.

**Gandhi Samadhi Design**

**1460. Shri B. S. Murthy:** Will the Minister of Works, Housing and Supply be pleased to refer to the reply to Starred Question No. 1272 on the 28th August, 1957 and state.

(a) whether the latest design of Gandhi Samadhi includes the laying of an "Olympian" town around the Samadhi; and

(b) if so, the details thereof?

**The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda):** (a) and (b). The design for the Gandhi Samadhi at present under consideration does not include the laying of an "Olympian" term. There is, however, a proposal for an Olympic Stadium on the bank of the Yamuna beyond the Power House adjoining the Samadhi site.

**Coffee**

**1470. Shri B. S. Murthy:** Will the Minister of Commerce and Industry be pleased to state the total quantity and the quality of Coffee produced in the Andhra Pradesh (Aruku Valley) during 1956-57?

**The Minister of Industry (Shri Manubhai Shah):** The information is not available.

**Survey of Unemployed Persons**

**1471. Shri S. M. Banerjee:** Will the Minister of Labour and Employment be pleased to state whether there is a scheme to conduct a survey of those unemployed who are not registered with Employment Exchanges?

**The Deputy Minister of Labour (Shri Abid Ali):** Information regarding employment and unemployment in the country is now being collected by the National Sample Survey as part of its normal programme.

**Western India Match Company**

**1472. Shri Warior:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Western India Match Company, Ltd. (WIMCO) is

receiving any assistance from the Central Government;

(b) whether the Company proposes to introduce any rationalisation scheme; and

(c) whether the workers will be affected thereby resulting in retrenchment, increase of work load or decrease in real income?

**The Minister of Industry (Shri Manubhai Shah):** (a) M/s. Western India Match Company Ltd. (WIMCO) receive from the Central Government such assistance as is normally given to other units in the Match Industry in the matter of imports of raw materials and transport facilities.

(b) and (c). We have no definite information regarding the intention of the company to introduce a rationalisation scheme. However, enquiries are being made.

**ओद्योगिक विवाद**

१४७३. श्री मोरन स्वरूपः क्या अम और रोजगार मंत्री यह बताने की कृपा करेंगे कि :

(क) जनवरी से दिसम्बर, १९५६ तक और जनवरी से जून, १९५७ तक भारत में कुल कितने ओद्योगिक विवाद हुये;

(ख) इन ओद्योगिक विवादों के कारण कितने जन-दिनों (man-days) की हानि हुई;

(ग) इन विवादों का कितने मजदूरों पर प्रभाव पड़ा ;

(घ) कितने विवादों का निकटारा मजदूरों के पक्ष में और फिल्मों वा मालिकों के पक्ष में हुआ ; और

(ङ) इन विवादों के फलस्वरूप मजदूरों को कितनी हानि उठानी पड़ी ?

अम उमसंत्री (भी आविह अवी) (क) मे (ङ) : सूचना प्राप्त नहीं है। इससे जो प्रधोपन सिद्ध होगा उससे अधिक इसके एकत्र करने मे समय अर्थात् मेहनत लगेगी।

**Supply of Shoes to Poland**

**1475.** *Shri S. M. Banerjee:*  
*Shri Prabhat Kar:*

Will the Minister of Commerce and Industry be pleased to state:

(a) whether orders for 54,000 pair of shoes have been placed on India by the Polish Government; and

(b) if so, whether this order will also be completed by the National Small Industries Corporation (Private) Ltd.?

**The Minister of Commerce (Shri Kanungo):** (a) and (b). Yes.

**Karnatak Khadi and Cottage Industries Board**

**1476. Shri Sugandhi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Zonal Head Office of the Karnatak Khadi and Cottage Industries Board was shifted from Hubli to Bangalore and again from Bangalore to Dharwar within the last three months;

(b) if so, the dates of shifting and the expenditure incurred thereon; and

(c) what amount of rent per month is being charged for the building where the office is now housed at Dharwar?

**The Minister of Industry (Shri Manubhai Shah):** (a) to (c). The required information is being collected and will be laid on the Table of the Lok Sabha in due course.

**Scheduled Castes Personnel in External Affairs Ministry**

**1477.** *Shri D. A. Katti:*  
*Shri Siva Raj:*

Will the Prime Minister be pleased to state the number of Scheduled Castes personnel in the Ministry of External Affairs and their proportion to the total number?

**The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):**

The number of Scheduled Castes employees in the Ministry of External Affairs is 84. Their proportion to the total strength is 3·5 per cent. approximately.

**PAPERS LAID ON THE TABLE****AMENDMENT TO TEA RULES**

**The Deputy Minister of Commerce and Industry (Shri Satish Chandra):** Sir, I beg to lay on the Table, under sub-section (3) of Section 49 of the Tea Act, 1953, a copy of the Notification No. SRO. 2744, dated the 31st August, 1957, making certain amendments to the Tea Rules, 1954. [Placed in Library. See No. S-257/57]

**NOTIFICATION ISSUED UNDER NATIONAL HIGHWAYS ACT**

**The Minister of Transport and Communications (Shri Lal Bahadur Shastri):** Sir, I beg to lay on the Table, under section 10 of the National Highways Act, 1956, a copy of the Notification No. SRO. 2761, dated the 31st August, 1957. [Placed in Library. See No S-259/57]

**REPORT ON LABOUR MANAGEMENT IN TATA IRON AND STEEL COMPANY**

**The Deputy Minister of Labour (Shri Abid Ali):** Sir, I beg to lay on the Table a copy of the Report on Labour Management, Consultation and Co-operation in the Tata Iron and Steel Company. [Placed in Library. See No. S-256/57].

**COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS****SEVENTH REPORT**

**Sardar Hukam Singh (Bhatinda):** Sir, I beg to present the Seventh Report of the Committee on Private Members' Bills and Resolutions.

**COMMITTEE ON PETITIONS****FIRST REPORT**

**Shri Barman (Cooch Behar—Re-served—Sch. Castes):** Sir, I beg to

present the First Report of the Committee on Petitions.

### CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

#### IMPLEMENTATION OF FACTORIES ACT AND OTHER LABOUR LAWS IN THE CERAMIC INDUSTRY IN DELHI.

**Shri Braj Raj Singh (Ferozabad):** Sir, under rule 197, I beg to call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and I request that he may make a statement theron:

"The high incidence of silicosis and tuberculosis among workers in the Pottery and Ceramic Industry in Delhi State as disclosed by the Report of the Chief Adviser of factories and action taken by Government to implement the Factories Act and other Labour laws in the Delhi State."

**The Deputy Minister of Labour (Shri Abid Ali):** As the statement is a long one, shall I lay it on the Table?

**Mr. Speaker:** He can give a summary and lay it on the Table.

**Shri Abid Ali:** It has been found that this process is hazardous and, therefore, it was considered desirable to have information on the factual condition of the worker in the industry and its effects on the health of the workers. Of the 41 factories employing about 8900 workers in the six States where the survey was conducted, 12 factories employing about 920 workers (including two factories in Delhi) were selected for study. Statistics has been taken and the State Governments have been informed. Further details have been mentioned in the statement.

Sir, I beg to lay a statement on the incidence of silicosis and tuberculosis among workers in the Pottery and Ceramic Industry in Delhi.

It is now well recognised, as a result of investigations carried out in other countries, that a serious hazard of silicosis is associated with the pottery industry, and unless suitable control measures are taken, conditions in the industry could be detrimental to the health of the workers. Under the circumstances, it was considered desirable to have information on the factual conditions of work in the industry and their effects on the health of workers. With this end in view, an industrial hygiene investigation was carried out by the organisation of the Chief Adviser Factories in the pottery and ceramic industry and a report on the survey was published in June, 1957.

Of the 41 factories employing about 8900 workers in the 6 States where the survey was conducted, 12 factories employing about 920 workers (including 2 factories in Delhi) were selected for study. Medical examinations of a large number of workers employed who were exposed over a period of time to the ill effects of dusts were carried out. The Radiological studies of workers showed incidence of silicosis—15·7 per cent workers had x-ray evidence of silicosis and about 60 per cent of these showed evidence of tuberculosis. Pulmonary tuberculosis was detected in 6·3 per cent workers.

A number of recommendations for the control of dust hazards through such arrangements as separation of dusty and non-dusty processes, wet grinding, mechanical exhaust arrangements; provision of personal protective equipment; periodical medical examination of workers and methods of improvement of general hygiene of workplaces have been made in the report.

It is mainly for the industry to take action to given effect to the recommendations made in the report. Copies of the Report have been forwarded to all the State Governments and Union Administrations with the request that

The recommendations for safeguarding the health of the workers in the industry might be brought to the notice of the Factory Inspection Services for necessary action.

Under Section 87 of the Factories Act, 1948, the State Governments have the power to make rules applicable to any factory or class of factories where, in the opinion of the State Government, any operation is carried on which exposes any persons employed in it to any serious risks of bodily injury, poisoning or disease. (The Chief Commissioner, Delhi has been given the powers of a State Government for the administration of the Act.) With a view to enable the Factory Inspectorates to enforce the recommendations made in the report, the Chief Adviser, Factories has framed draft Model Rules under the Factories Act in respect of the Industry. These are under discussion with State Chief Inspectors of Factories and after finalisation will be forwarded to the State Governments for adoption and enforcement.

The House will appreciate that the Government on their own initiative had the survey carried out in the pottery and ceramic industry with a view to having factual information on the conditions of work in the industry and their effects on the health of workers. They are now seized of the problem and are taking the measures necessary to safeguard the health of the workers in the industry. The action being taken would cover the workers in the factories in Delhi as well.

**Mr. Speaker:** As a large number of items have been disposed of on the 9th September, 1957 before the scheduled time, I have decided that the sitting of the House fixed earlier for the 14th September, 1957 may now be cancelled.

In view of this the Private Members' Business which had earlier been fixed up for the 14th September, 1957

will now be taken up on the 12th September, 1957.

**Shrimati Renu Chakravarty (Basirhat):** May I make a submission? I realise that the arrangement has been put out of gear because certain Bills had been passed quicker than expected. I request you to see that the order of business is not turned round. The other day, yesterday, there was a certain order of business. Now, this morning it is changed. Last evening, we were told that certain new matters will come before this House in a particular order. That order has again been revised. I would request the hon. Minister of Parliamentary Affairs at least to keep to the order even when we had to take additional Bills. Otherwise, it is very difficult for smaller parties function where we have to distribute our work.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** That happens in the nature of things. Yesterday, there was a collapse of two Bills. So, others have to come up. I would look into it and see whether the order announced can be followed.

**Shri Ranga (Tenali):** We did not hear what he said.

**Mr. Speaker:** The hon. Minister is considering this matter and as far as possible the order will be maintained.

**श्री गणेश राम (जोनपुर-रक्षित-भगुसूचित जातियां) :** प्रध्यक्ष महोदय, जैसा कि मैं ने कल शिड्यूल कास्ट्स कमिशनर की रिपोर्ट पर बहस के बारे में कहा था, मैं निवेदन करना चाहता हूँ कि दिल्ली कापेरिशन बिल का जो समय बच गया है, प्रगत वह उस रिपोर्ट के लिये दे दिया जाय, तो यह बहुत अच्छा हो और १९५५-५६ की रिपोर्ट डिस्क्स कर ली जाय।

**Mr. Speaker:** The hon. Minister has already said that the other report has not yet been received. Both these reports will be considered together. The hon Member put a question

[Mr. Speaker]

yesterday as to why this should not be considered separately, and it was replied. What is the use of repeating a question as often as opportunity arises.

ओगणपति राम : मैं यह कहना चाहता हूँ कि .....

**Mr. Speaker:** Order, order. We have heard enough. There is no use spending away time on matters which have been concluded.

#### ESSENTIAL COMMODITIES (SECOND AMENDMENT) BILL\*

**The Minister of Law (Shri A. K. Sen):** Sir, I beg to move for leave to introduce a Bill further to amend the Essential Commodities Act, 1955.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill further to amend the Essential Commodities Act, 1955."

*The motion was adopted*

**Shri A. K. Sen:** Sir, I introduce the Bill.

#### REPRESENTATION OF THE PEOPLE (CONDUCT OF ELECTIONS AND ELECTION PETITIONS) RULES—contd.

**Mr. Speaker:** The House will now take up further consideration of the motion relating to modification of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956, moved on the 9th September, 1957. The time allotted was 2 hours out of which 51 minutes have already been taken. The balance is one hour. How long will the hon. Minister take to reply?

**The Minister of Law (Shri A. K. Sen):** About 15 minutes.

**Mr. Speaker:** Then we have 45 minutes. Hon. Members will have 5 to 10 minutes each. I will try to accommodate as many Members as possible.

**Shri Tangamani (Madurai):** Mr. Speaker, Sir, on the 17th July, 1957, the hon. Minister of Law was pleased to lay on the Table of this House amendments to the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956. In this notification, Sir, rules 41A to 41J are included, which seek not only to amend rule 41 but also rules 56, 57 and 58.

Enough has already been said by a number of Members yesterday on the new mode of election which is sought to be introduced by this amendment. 41A deals with the new method, namely, "voting by marking the ballot paper shall be followed in elections at specified polling stations". I shall not develop that particular point further. I would only like to refer to the new clause 41J, sub-clause (3) which reads as follows:

"The returning officer shall also reject a ballot paper used at a notified polling station—

(a) if votes are given on it in favour of more candidates than there are members to be elected, or

(b) if no vote is recorded thereon.

(2B) A vote recorded on a ballot paper used at a notified polling station shall be rejected if the mark indicating the vote is placed on the ballot paper in such a manner as to make it doubtful to which candidate the vote has been given."

I would like to give my own experience about this practice which was adopted in Madras two years ago. In

\*Published in the Gazette of India Extraordinary Part II—Section 2, dated 10-9-1957, pp. 807-08.

the Local Boards election this marking system was introduced. Each voter was given the ballot paper as specified in rule 41G which says:

"The elector on receiving the ballot paper shall forthwith proceed to one of the polling compartments and there make a mark on the ballot paper opposite the name of the candidate or each of the candidates for whom he intends to vote, in accordance with the instructions set out in the ballot paper and fold it so as to conceal his vote, and after showing to the presiding officer the distinguishing mark on the ballot paper insert the ballot paper so folded into the ballot box in the presence of the presiding officer."

What actually happened was this. In the polling booth there will be a big poster containing the names of various candidates, their symbols and also space for the mark. Most of the illiterate voters and even some of the literates also went inside, had the ballot paper in their hands, took the pencil and made the mark on the poster which was kept there, without even marking the ballot paper promptly folded it, showed it to the returning officer and put it in the ballot box. In this way several votes were declared invalid.

Another thing is, because a number of villagers, particularly women folk, are not even used to holding a pencil, in marking the marks often exceeded the particular limit of a candidate. In such cases also, according to the rules which are specific in this respect, a number of votes were declared invalid. Therefore, in these rural areas we found a large number of invalid votes.

Even during the last elections which we had in the urban areas, people were asked to cast their signature before receiving the ballot papers. I know even in Madura City a large number of Muslim women did not

give their votes because their signatures had to be taken. Therefore, holding a pencil and making a mark is still looked upon as something which is to be avoided.

Therefore, although ultimately this system of secret ballot has to come, I submit that it is too early in the day to take this risk. We have already had two general elections, one in 1952 and the other in 1957. In spite of certain observations which were made from the other side or from this side, the elections have been more or less peaceful. Except for certain practices which are all subject matters of election petitions, the elections have been fair. When these two elections have proved to be a success, why should we launch upon a new experiment at this stage? That is something which I am not prepared to subscribe to.

If the hon. Minister wants to have an experiment, as one of the hon. Members, Shrimati Renu Chakravarty has suggested in her amendment, he can start the experiment on certain urban areas. It will be too much of a risk to start it in rural areas. If the experiment in one or two by-elections proves to be a success, then he can always come before this House. But I would request him, Sir, through you, that at least for the next election let not this marking system be introduced which will only create confusion in the more or less stabilised form of election now prevalent in this country.

Lastly, I would like to say that during the last election at any one booth there were generally 700 to 800 voters and the rate was 60 to 70 per hour. Even that was more or less the normal rate. If this marking system is to be introduced, I am afraid the rate of 60 per hour, that is one per minute, may not be maintained at all. Therefore, a number of people who would like to cast their votes are likely to be left out.

[Shri Tangamani]

For these various reasons that I have pointed out, and for the many reasons which were advanced by hon. Members from all parts of the House, I submit that this notification which is sought to be introduced need not be pressed, and I request the hon. Minister to accept our suggestion.

12.28 hrs.

**Shri Harish Chandra Mathur (Pali):** Mr. Speaker, Sir, if we can afford to ignore the realities of life and only indulge in academic legislation I would like to welcome this amendment which has been brought forward by the hon. Minister for Law. From the academic view point I would support such an amendment for more reasons than one.

It certainly is a progressive step, there is the least doubt about it. I need not elaborate it. But, if we can bring about progress only through legislation we would sit here for long hours and enact all progressive legislation.

There are other advantages if we can afford to introduce this system, because I am fully aware that it will mean some economy, it will save us some ballot boxes. Another advantage would be that it will do away with certain causes of corruption. We have been complaining about the tampering of the ballot box. This will, to a certain extent, obviate all such complaints. But, as I submitted to you earlier, we cannot afford to ignore the realities of life, and all our legislation has got to be in the context of our living conditions.

We can bring forward such progressive legislation only when we are prepared and educate the electorate for it. I am definitely of the opinion that the country is not prepared for it, the electorate is not prepared for it, and it is not only premature but we have covered no ground whatsoever yet to introduce this piece of legislation.

Even those friends who have opposed this piece of legislation have conceded that it might be introduced to a limited extent, say, in certain urban areas. I oppose even that. We cannot afford to introduce this measure even in the urban areas, because even there we have to take a polling station as a whole. We cannot introduce this procedure only for a certain section of the electorate; we will have to introduce it at least for a full polling station. And the people covered by the polling station, those living in the towns and cities, are as illiterate as you find in the rural areas. So it will make it difficult to introduce this measure even in certain selected areas.

Apart from this, it may be argued that it is only an enabling provision, that simply the passing of it does not mean that this procedure will be adopted all over. But I do not want that I should leave myself in the hands of the Chief Election Commissioner and leave myself to his discretion—when I know full well that the background is not there, that the electorate is not prepared for it, that the country is not prepared for it, and when I know it that even in certain selected areas this could not be introduced.

There is another reason why I would oppose it. Even if we introduce it in certain selected areas, it is bound to create a lot of confusion because in certain parts there would be a particular procedure being followed and just in an adjoining polling station or just in the nearabout village there would be a different kind of procedure being followed, and these voters who come in contact with each other will get confused when one section talks of one procedure and another section talks of another procedure being followed about this.

There is also another disadvantage. If I knew beforehand that in a particular area or polling station this procedure is to be followed, I could myself be prepared to educate the

electorate in that particular area. But the provision of this Bill as it stands is that the Election Commissioner, through a certain notification, will notify that this procedure will be followed in that area. We will be taken unawares and will not get enough time. All the time we may be educating our electorate to be tuned to a different sort of procedure for the election, and all of a sudden we will find that that particular area has been earmarked for following this procedure. So we will not be able even to take care of that particular area and to educate that particular area regarding the election procedure.

Therefore on all grounds I oppose this piece of amendment. And that is why I have suggested no amendments but I have tabled a motion for the complete deletion of this clause.

**Shri Dasappa** (Bangalore): I see a lot of nervousness on the part of certain hon. Members here about the new amendment that is sought to be introduced in regard to the manner of the voting. I do not see why there should be any such apprehension about the success of this system. It is not as though this system is being thought of for the first time in this country. I come from Mysore State where this was exactly the system that was prevalent before we adopted the new system which we had in 1952 and again in 1957.

**Shrimati Renu Chakravarty** (Basirhat): Was it universal franchise or limited franchise?

**Shri Dasappa:** Why not the hon. lady Member have a little patience?

**Shrimati Renu Chakravarty:** I want an answer to that.

**Shri Dasappa:** You will get all that and more.

The general elections for the local legislature were no doubt under restricted franchise. But I may say that where the literacy did not go beyond about 20 per cent. at the outside and the vast majority of the people who

were enfranchised were illiterate men and women, yet the number of invalid papers was very few.

And the hon. lady Member asked me whether it was on the basis of adult franchise. Yes, in regard to certain constituencies relating to town municipalities and minor municipalities. There they had to elect as many as about fifteen members. It would so happen sometimes that the town municipality would be split up into three or four wards. In some cases the whole of the town municipality would be one ward and fifteen members had to be elected. One party would put up fifteen candidates and another would put up, either independently or otherwise, a number of candidates. Each one would be given a symbol and across the symbol this cross mark had to be put. There on the basis of adult franchise the elections used to be held, and the number of invalid votes were very very few. I do not know what it is called in other languages but we call it *kaththri*, that is scissors; we say, "please put that cross mark", and even the most ignorant woman would understand it and put the cross against the desired symbol.

Therefore, I beg to submit that there would be no difficulty in this regard. As Mr. Mathur and everybody else who was against this new system said, there is a lot of room in the present system for mixing up of votes and for various other malpractices and abuses. Any number of instances have been found where the voters would go to the polling booth but not put the ballot papers into the box but would come back with bundles of them and ask somebody, of course for a certain "consideration", and then this other man would take them and put them into the box he chose. This is a thing which is of common knowledge. That can be prevented by the proposed method, because anybody who votes has to go and put the paper into the box in the presence of the polling officer. That kind of malpractice or fraud

[Shri Dasappa]

cannot be completely eliminated now.

**Shri B. S. Murthy** (Kakinada-Reserved-Sch. Castes): Are you quite sure about its being completely eliminated under the new system?

**Shri Dasappa:** For the obvious reason that the box would be in the presence of the polling officer, and whoever is the voter has to take the ballot paper and put it into the box in the presence of the polling officer—there is no question of running away with the voting paper.

Secondly, as regards the question of speed—I think Mr. Tangamani referred to that—it is true that marking takes more time than merely putting it into a box. But the delay could be easily eliminated by having three or four booths into which the voter could go with the voting paper, mark it in a secret way inside that booth, bring out the paper and then put it into the box. In this manner it would be open at one and the same time for half a dozen or more voters to take it into the voting booth, mark it, bring it out and then put it in the box. In any case there would be no question of delay being caused in the matter of this voting.

I do not want to say more. I am saying there is abundant experience in a whole State to justify the choice by which we could avert many of these malpractices which have become so notorious. It is a very good system well worth trying and that in a limited way, and I am sure all the apprehensions of our hon. friends will be disbursed when in actual practice the results come out.

**Mr. Speaker:** We started at 12.20. We shall go on up to 1.20. At quarter past 1, I shall call upon the hon. Minister. In the meanwhile, the hon. Members may be as brief as they have been all along. I shall give five minutes each, so that I can call a number of hon. Members to make their suggestions.

मौजूदे विधेयक चुनाव की पढ़ति में संशोधन करने के उद्देश्य से यहाँ रखा गया है। इस का उल्लेख चुनाव कमिश्नर ने सभी अस्तित्व भारतीय दलों की जो बैठक चुनावों के पहले ही और उस में किया था और इस को बहाँ उपस्थित किया था। उस बैठक में केवल एक पार्टी को छोड़ कर बाकी की तीनों पार्टियों ने जिन में कापेस भी सामिल है, चुनाव पढ़ति में इस प्रकार का संशोधन करने का विरोध किया था। मैं नहीं समझता हूँ कि अब कामेस पार्टी इस के पक्ष में हो गई है या नहीं लेकिन जो कठिनाइयाँ उस समय बताई गई थीं वे आज भी कायम हैं और अभी तक उन का ठीक तरह से उत्तर नहीं दिया जा सका है।

पहली बात जो इस पढ़ति के समावेश के बाद होगी वह यह होगी कि बैलट पेपर अलग अलग जगह छापे जायेंगे। अभी तक बैलटपेपर एक ही स्थान पर छाप कर भेज दिये जाते थे। लेकिन इस पढ़ति के अनुसार जो भी चुनाव के उम्मीदवार होंगे उन के नाम इस बैलटपेपर पर अंकित होने के कारण और कौन उम्मीदवार होगा यह बिल्कुल आखिरी बक्त पर जा कर तय होगा। इसलिए मतपत्रों के प्रकाशन के काम का विकेन्द्रीयकरण करना पड़ेगा और इस विकेन्द्रीयकरण में इस बात की आशंका है कि मतपत्र कुछ ऐसे लोगों के हाथों में चले जायें जिन के हाथ में कि इन को नहीं जाना चाहिये। यह ठीक है कि जो भी वोटर मत डालने के लिये आयेगा वह प्रिजाइंडिंग अफिसर के सामने आ कर मत डालेगा। लेकिन जगह जगह का अनुभव इस प्रकार का है कि कुछ बैलट पेपर ऐसे लोगों के हाथ में पहुँचते हैं जो उन का दुरुपयोग करते हैं और अगर सामन भी मतपत्र डालने की अवस्था की गई तो कुछ लोग ऐसे भी रह-

सकते हैं विशेष कर गावो में जहां इस नियम का कठोरता से पालन न किया जा सके और इस बात की आशंका है कि मतपत्रों का प्रकाशन एक स्थान पर न होने के कारण जो आशंकायें उत्पन्न होते हैं उन का निराकरण न किया जा सके।

दूसरी बात यह भी है कि जो नियम बनाये गये हैं उन में प्रिजाइडिंग आफिसर्स को इस बात का अधिकार दिया गया है कि जहां वे अधिकारी का या प्रान्तिहिज बोटरों के मतपत्र डालें वहां जो इलिट्रेट बोटर्स हैं, जो निरक्षर मतदाता हैं उनके बैलटेपर भी प्रिजाइडिंग आफिसर हीं डालें। अभी हमारे देश में लोगों को यह विश्वास नहीं है कि जो भी बोट डाला जाएगा उस के बारे में कुछ भी पता नहीं लगेगा। अशिक्षित लोगों की बात तो हम छोड़ दें। पिछले दो चुनावों में जो सरकारी कर्मचारी हैं जो पढ़े लिखे हैं उन से बात करने पर भी ऐसा पता लगा है कि पोस्टल बैलट डालने से भी ये ढरते हैं, उन के हृदय में यह आज़ंका रहती है कि हम किस को बोट डालेंगे। म का पता किसी न किसी प्रकार चल जायेगा, अब यह जो आशंका है, जो होनी नहीं चाहिए भगवर जो आज है, वह इस से हम इन्कार नहीं कर सकते, कि इस पढ़ति के कारण और भी बढ़ेगी। गावों में ऐसा हो सकता है या शहरों में भी जो अशिक्षित बोटर है उन को भी अगर यह बात बनाई जाते कि तुम जिस किसी को भी बोट डालोगे उस के बारे में पता लग जाएगा और उन के दिलों में इस प्रकार की आशंका पैदा हो जाएगी, तो इस का अच्छा भगवर नहीं होगा और इस पढ़ति से तो यह आशंका भी बढ़ेगी। इसलिये मेरा निवेदन है कि यदि हमारे विधि मंडी इस पढ़ति को लाने पर तुले कुएं हैं और विरोधी दल की क्या बाधेस वालों की भी जो आपत्तियां हैं वे भी वे स्वीकार करने के लिये तैयार नहीं हैं तो

नियमों के अन्तर्गत जो प्रिजाइडिंग आफिसर्स हैं, वे इलिट्रिट बोटर्स के भी धोन डालें, इस प्रकार के मंशोधन को निकाल देने भी आवश्यकता है। एक और तो कहा जाता है कि हर एक अशिक्षित बोटर अपना मार्क लगा सकता है और दूसरी और रूप्स में ऐसी व्यवस्था को गई है कि अशिक्षितों को प्रिजाइडिंग आफिसर्स के द्वारा अपना बोट डलवाना होगा। दुर्भाग्य में हमारे देश में अशिक्षित लोगों की संख्या ज्यादा है और वे नगरों में भी मिलते हैं और अगर हम ने इस पढ़ति को नगर तक ही सीमित रखा तो भी अगर उन के बोट डालने का अधिकार प्रिजाइडिंग आफिसर को दिया गया तो चुनाव में अनियमितता होने की आशंका ज्यादा है।

इस के बारे में एक बात भी कही जाती है। यह कहा जाता है कि हमारे जो चुनाव आयुक्त हैं वे सूडान गये थे और वहां पर इस पढ़ति का प्रयोग किया गया है और यह वहा संस्कृत भी हुई है। हमारे देश के कुछ भागों में भी इस पढ़ति का अवलम्बन किया गया था। लेकिन अगर कही के अनुभव अच्छे हैं तो राजस्थान के मूलनिषिप्त चुनावों में जहा इस पढ़ति वा अवलम्बन किया जाता था वहा के अनुभव बुरे भी हैं, उल्टे भी हैं। दोनों स्थानों के अनुभव की अगर हम तुलना करें तो ऐसा कोई कारण दिखाई नहीं देता है कि इस बारे में कोई जलदबाती की जाय। सूडान में यह पढ़ति सफल हुई—किस अर्थ में सफल हो गई—जो सत्ताधारी पाटी थी उसी को इस का लाभ हुआ—इस के बारे में कुछ निविच्चत रूप से नहीं कहा जा सकता। अगर वैसी सफलता यहा होने वाली है तो उसे तो शायद हम लोग सफलता कहना स्वीकार नहीं करेंगे।

तो मेरा इतना ही निवेदन है कि कोई भी परिवर्तन करने के पहले उस के दोनों पक्षों का ठीक तरह से विचार होना चाहिये

[श्री वा. शंखेश्वरी]

और इस सम्बन्ध में हम जल्दबाजी करें और कठिनाई पैदा कर लें, चुनाव में अनियमितता बढ़ जाए, उस से कोई लाभ नहीं होगा। मैं विष्णु मंत्री महोदय से निवेदन करता हूँ कि वह इस सम्बन्ध में धीरज से विचार करें और चुनाव प्रायोग को फिर से और भी पाठ्यों का सम्मेलन बुला कर इस सम्बन्ध में उन की राय लेनी चाहिये। हमें कोई भी ऐसा कदम नहीं उठाना चाहिये जिस के अरिये से हम चुनाव पद्धति को सरल तो करना चाहते हों लेकिन उस के परिणामस्वरूप वह और भी जटि हो जाए।

**Shri J. R. Mehta (Jodhpur) rose—**  
**Shri Feroze Gandhi (Rai Bareli):** May I ask for a clarification from the Minister?

**Mr. Speaker:** I will give him an opportunity. I will call him next.

**Shri J. R. Mehta:** In spite of the specious pleading of my hon. friend Shri Dasappa, I am afraid I cannot reconcile myself with the proposed amendments. I do not think it is very necessary to say very much about the impracticability of the proposed amendments. In an illiterate country like India, everybody will realise that it will be a great handicap from the point of view of the voter. This law provides that every illiterate man will have to seek and will be able to seek the assistance of the presiding officer. It should not be difficult to imagine how tardy and how embarrassing this process will be and it will be very impracticable.

I cannot help feeling that this sort of legislation is a typical instance of what I may call legislation phobia which we are developing in this country. We are legislating too much;—legislating for the sake of legislation and without thinking whether what we are legislating will have any practical value for the country or not.

For this reason I do not think it is necessary to say much.

I oppose these amendments.

**Shri Feroze Gandhi:** I only wanted to clarify from the Minister when he replies. A candidate has the right to withdraw from the contest ten days before the poll. That means that there will be only a margin of eight days by which time the ballot-papers will have to be supplied. I would like to know whether the Security Press which prints these ballot-papers is in a position to do this.

Secondly, I would like to suggest to the hon. Minister that the municipal elections will be due at least in my State in the next two months. Why should this experiment not be tried, to begin with, in some big municipalities, and we could find out exactly what the result will be, and then we might be in a position to say whether this should be extended or not.

**सेत अच्छा. सिंह (आगरा) :** २११-४  
 महोदय, यह जो नोटिफिकेशन डारा बोट डालने की पद्धति में परिवर्तन किया जा रहा है और मार्किंग सिस्टम को हंटोइयम किया जा रहा है, मैं उस का विरोध करता हूँ।

मेरे विरोध का कारण यह है कि हमारे भारतवर्ष में मुकिक्ल से ११ या १२ परमेट लोग पढ़े लिखे हैं और चर्कि यहाँ की अधिकतर जनसंख्या अनपढ़ है इसलिये वे बैनट पेपर्स में ठीक से मार्क नहीं लगा पायेंगे। मैं नहीं ममता कि अभी तक जो पद्धति चल रही है, उस में इस प्रकार का परिवर्तन क्यों किया जा रहा है और कौन में बवार्ट्स में इस किस्म की बात उठी है कि बैनट पेपर्स पर यह मार्क करने का सिस्टम रायक किया जाना चाहिये। ऐसा करना जल्दबाजी होगी और इस को अभी नहीं करना चाहिये और जो पद्धति चल रही है उसी के अनुसार हम को चलना चाहिये। मैं इस अमेंडमेंट का विरोध करता हूँ।

**श्री गजरति राम (जौनपुर-रक्षित-अनुसूचित आतिथ्यां) :** अध्यक्ष महोदय, यह जो मतदान में मार्किंग करने का नया तरीका अखलखार किया जा रहा है, उस के बारे में मेरा निवेदन है कि यह परिवर्तन हमारे देश की जैसी अवस्था आजकल है, उस में उचित न होगा और यह एक अल्पवाजी का कदम सिद्ध होगा।

हमारे विधि मंत्री महोदय को मालूम होगा कि हिन्दुस्तान के कुछ भाग ऐसे भी हैं जहां पर कि पिछले मतदान के समय गरीब मजदूरों और शोषित जनता को पूँजीपतियों, जमीदारों और तालुकेदारों ने बोट नहीं देने दिया और उन को रोके रखा। अपने निर्वाचित क्षेत्र का दौरा करते समय मुझे बताया गया कि पिछले चुनाव में किन्हीं इलाके के लोगों को बोट नहीं देने दिया गया और उन को रोक रखा गया। आज भी ऐसा भय है कि जो पूँजीपति लोग हैं, ऐसे वाले हैं और फँटरी ओनमं हैं वह हमारे उन बेचारे गरीब अनपढ़े भाड़यों को डरा कर धमका कर व पैसे का लालच दे कर उन को बढ़का मक्ते हैं और यह स्तरा इस मार्किंग मिस्टम को रायज़ कर देने से और बढ़ जाएगा और हो सकता है कि वह सही तौर पर अपने बोट का ह इस्तेमाल न कर सके और गलत आदमियों को डर कर बोट दे दे। इस वास्ते में ला मिनिस्टर माहब से प्रार्थना करता कि अभी इस प्रकार की तबदीली करने का उपयुक्त समय नहीं आया है और यह मार्किंग सिस्टम अभी रायज़ न किया जाए। डेमोक्रेसी का विकास अभी हमारे देश में पूरी तरह में नहीं हो पाया है और इस नाते में मंत्री महोदय से यह प्रार्थना करता कि अभी किलहाल इस तरह का परिवर्तन न करे।

**Shri Jaipal Singh (Ranchi West-Reserved-Sch. Tribes):** I regret I cannot agree with these amendments. My hon. friend, the Minister, knows

very well that in my arguments, I do not want to plead the cause of the tribal areas only. I think as far as the question of general elections is concerned, the Election Commissioner himself has reported that voting has gone best in the tribal areas, where there has been discipline, where there has been less corruption and less abuse.

But in these rules, for the first time, we are trying to introduce a technique which is meant, if the entire House agrees to it, for electors who know what voting is, who may be taken for granted to be literate and to understand the meaning of the ballot system, whereby they will not be forbidden from voting for a person they themselves might desire to vote. Here I find that by introducing the presiding officers into the picture, we are courting abuse. It is not merely a question of dealing with infirm people or people who are physically not capable of recording their vote by making the cross, but we have to deal with millions of people who have perhaps never made a cross in their life, who do not know how to hold the pencil and to write. How is it that an improvement is sought to be made when the situation in the country is bad? Are not we beginning to run even before we can walk properly?

I humbly submit that these rules and amendments are very dangerous. It is going to put the clock back and all manner of corruption and abuse will come into the picture. By and large we can say that the officers who had been running the elections, despite whatever has been done by various political parties, have been free from abuse and corrupt practices. By having these amendments, we will be inviting them into the field, because first the ballot will cease to be a secret. Whatever we may say about the people who may be helped by the presiding officers in the matter of recording their votes or making the cross, the fact does remain that there-

[Shri Jaipal Singh]

is some one who does know which way a particular elector has voted. That in itself vitiates the whole theory of ballot voting.

My principal objection and therefore opposition to these amendments is on that score that our young democracy should in no way be exposed to these things. Coming to areas I know myself more intimately, I could think of nothing more dangerous than these amendments; I could think of nothing that would become more undemocratic in those areas, because it will in the present context mean that it will be the presiding officers who will be voting and not the electorate. I oppose the amendments from beginning to end and I request the Government to withdraw them.

**Shri Mohamed Imam (Chitaldrug):** I would not have taken part in this debate, but for the fact that I remembered an instance which recently happened in my district. Last year, there were two elections, one from Harihar and another from Jagalur for the election of a member to the marketing society. There were 500 voters from Harihar and 300 from Jagalur. When the votes were counted, it was found that in the first case out of 500 votes polled, 200 votes became invalid and in the other case, nearly 100 votes became invalid, in spite of the fact that the voters were fairly literate. If this is the case when election takes place to a body like this, I dread to think of the consequences during the general elections. Elections are important. They play a vital role in democracy.

**Shri Dasappa:** When he used to get elected to the Assembly or to the Council by this marking system, how many invalid votes were there?

**Shri Mohamed Imam:** I have got experience of the Mysore electorate for the last 25 years. In those days it was restricted franchise.

**Shrimati Renu Chakravarty:** That is what I also said.

**Shri Dasappa:** What about local municipalities?

**Shri Mohamed Imam:** I am coming to that. In those days, when elections were held for the Assembly, for the entire taluk the number of voters would be about 2,000 as against 40,000 now. Similarly for the Legislative Council, the number would be about 8,000 to 10,000 as against lakhs and lakhs now. For municipalities, it is true that adult franchise was introduced in the cities first and then in the towns. The practice when such a system is adopted is this. Those that are literate can mark the votes themselves. Those that are illiterate generally seek the aid of the presiding officers. Many times he marks for them. This is what was happening in the good old days. It was the presiding officer who used to vote. The presiding officer may be honest or may not be honest. But there is this fact that the voter will have to be guided by the presiding officer.

13 hrs.

So, I have got one suggestion to make. In an election, where all parties are interested and where everyone is interested in having free and fair elections, it is not desirable that the will of the Election Commission or the wish of the Government should be imposed on other parties. It is a well-established fact in England and other countries that whenever there is any change in the method of election the leaders of all parties join together and come to an understanding under the guidance of the impartial Speaker. It is the unanimous will and wish of the people that will be given effect to. Whenever there is any change, either regarding the method of voting, or regarding the constituency, or regarding the delimitation of constituency, it is not at all a one-sided decision. The leaders of all parties are taken into confidence and there will be a general deliberation and then an agreement is arriv-

ed at, which will be put into effect. But, that is not the case here. Whatever may be the effect of such a change—I do appreciate the desire of the Law Minister and the Election Commission to give a higher status to the voters; but my fear is that the time has not yet come for that—it is decided without any consultation; it is all one-sided. I suggest that the proper thing is to appoint a committee of all the leaders. Let us go, not only into this question, but into all other questions. We have tried the present system of election twice and during the past ten years we have found many shortcomings. They have to be rectified.

For example, I will give you two or three examples about the shortcomings. Many people do not believe in the ballot box. Many people say that it is not entirely proof against tampering. That was the case during the last election though during this election that is not the case. But there are complaints about the allotment of symbols. Many people vote just for the cause of the symbol. For example, we have allotted bullocks as a symbol to a party. Many people voted for it not because of the merit of the candidates, but because they thought that it is their religious duty to vote for the bullocks. And that is not an uncommon sight. We have heard many such instances. They worship bullocks, they decorate them, apply kumkum and say *Hara Hara Mahadeva*. There is a good deal of truth in that complaint. Many people vote for the symbol and not for the candidate. And many voters know very little about the candidates.

The same is the case with constituencies. Of course, during the last elections constituencies were demarcated according to the desire of the people and committees were set up. But this time constituencies were demarcated arbitrarily. Districts were split up and taluks were split up and new constituencies were formed, much to the discomfiture of the new candidates. They had to plod from

place to place, about which they knew nothing or very little. For example, I come from Chitaldrug constituency. Instead of taking the entire district as a unit, they split up the districts and merged half a portion to another constituency and the other half to another constituency. None of the local people were consulted. There was a great deal of injustice. Many people say that this arbitrary method of demarcation was resorted to in order to give some advantages to some people; it may or may not be true. But there is this fact that there was arbitrary demarcation of constituencies.

**Shri Dasappa:** That has helped you to get returned to the Lok Sabha.

**Shri Braj Raj Singh:** (Firozabad): Otherwise, he would have been returned with a greater majority.

**Shri Mohamed Imam:** That is true. Demarcations were made during the last election without consulting the people, without consulting us. It is very arbitrary. It is not the practice in other countries. In England, if there is any change in the method of election or if there is any demarcation in constituencies, all the parties are consulted; the local people are consulted. But such a thing is not done here. There is more of dictatorial attitude here. Arbitrary measures are taken by the Election Commission and the Government rather than be guided by the will of the people. After all, the vote must be exercised judiciously. Voting is nothing but recording the will of the people and it must be correctly done. But that is not being done. Then, many people exercise their votes on some sentiments.

I, therefore, submit that in order to study the various facts a committee may be appointed, an independent committee consisting of all the leaders, or a judicial committee, or, if necessary, copying the practice that is existing in England, a committee under the chairmanship of the Speaker. Let that committee go

[Shri Mohamed Imam]

into all these matters because we have detected some mistakes in the present system. Let the committee investigate into the pros and cons and find out whether the present system of election can be remedied and how the system can be improved. I submit this for consideration, instead of accepting this one-sided measure, which has been forced on us. There is ample time. There are four years for us to consider this. Let the committee evolve a system of election which will ensure free and fair election.

**श्री बजराज सिंह (फिरोजाबाद) :** अध्यक्ष महोदय, यह जो भवतान पद्धति में परिवर्तन करने या संशोधन करने के हेतु नोटिफिकेशन आरी किया गया है, मैं उस का सख्त विरोध करता हूँ और वह इस कारण से कि दो दफे चुनाव हो चुके हैं, सन् १९५२ और सन् १९५७ में और चुनावों और वर्तमान भवतान प्रणाली से इस देश की अपद और निरक्षर जनता परिचित हो चुकी है। अब इस परिचय को प्राप्त करने के बाद हम एक नई प्रणाली शुरू कर दे, जिस प्रणाली में हमारी जो सीक्सी आफ बोटिंग है, बोट करने की जो गोपनीयता है वह नष्ट हो जाय, तो इस में बड़े खतरे पैदा हो सकते हैं।

अक्सर देहातों में जहां पर कि सोग अपद होते हैं और जहां पर राजनीति की समस्याओं को अच्छी तरह नहीं समझा जाता है वहां पर यह दिक्कत रहती है कि कुछ व्यक्तियों का या शासनाल्ड पार्टी का इतना असर रहता है कि सोगों को यह खतरा रहता है कि अगर उन्होंने वे शासनाल्ड पार्टी के लिखाफ बोट दिया तो वह उन को नुकसान पहुँचा सकती है। यह जो नई बोटिंग प्रणाली आरी की जाने को है, उस में देश की वर्तमान परिस्थिति को देखते हुए, वे सोग जोकि अपद हैं और पड़े लिखे नहीं हैं, उन के लिये यह असम्भव हो

जायेगा कि वह बिना गोपनीयता को नष्ट किये अपना बोट दे सकें और इस सिस्टम के होने से वे निष्पक्षतापूर्वक अपनी राय नहीं दे सकेंगे और वे कुछ व्यक्तियों या शासनाल्ड पार्टी से डर कर और उन के दबाव में आ कर मनवाहे व्यक्तियों को बोट नहीं दे पायेंगे और इस में यह खतरा रहेगा कि जिस सिद्धान्त जिस कार्यक्रम भी विस पार्टी को वह बोट देना चाहते हैं उस को बोट नहीं दे पायेंगे।

मेरा चाहता हूँ कि जो विकल्प भी और जो कठिनाइया हमारे वर्तमान कानून में आई है, उन को हम देखे और विचार करे। उस के लिये हम विभिन्न पार्टीयों के दृष्टिकोण को देख कर एक कमेटी बना सकते हैं, चाहे वह इस सदन की कमेटी हो, अथवा विभिन्न पार्टीयों की कमेटी हो, उस कमेटी में इस सवाल को रख कर सब लोगों की राय ले सकते हैं और उस के बाद कोई फँसला कर सकते हैं। लेकिन बिना किसी की राय लिये हुए, इस तरह का एक नोटिफिकेशन आरी कर देना जिस में कि एलेक्शन कमिशन को यह अधिकार हासिल हो जाय कि जब कभी वह चाहे जिस किसी कांस्टीटुशनी में इस पद्धति को आलू कर सकता है। मैं समझता हूँ कि यह एक ऐसी बात होगी जिस से कि देश के जनतंत्र पर आधार पृथक सकता है।

एक सुझाव यह दिया गया है कि इस विषय में रेक्षणाइज़ एक्ट, मान्यता प्राप्त पार्टीज़ बिन को कहा जाता है, उन से सलाह मशविरा कर लिया जाय, मैं इस सुझाव का सख्त विरोध करता हूँ। मैं जानता हूँ कि पिछले चुनावों में भी एलेक्शन कमिशन के द्वारा बिना किसी कानून के कुछ पार्टीज़ को रेक्षणाइज़ पार्टीज़ मान लिया गया, मान्यता प्राप्त पार्टीज़ मान लिया गया, ऐसी पार्टीयों बिन का कि कुछ गोपनीय है और बिन का कि देश में एक तरह का संगठन है, बिन किसी एक नियम के रेक्षणाइज़ पार्टीज़ मान

लेना और उन को हमेशा के लिये सोनों पर खोप देना, इस से देश में जनतंत्र पनपेगा नहीं। यह कहना कि रेकानाइज़ड पार्टीज़ से राय मन्दिरा कर के किसी निवाचन क्षेत्र को छाटा जाय और उस के बाद नोटिफिकेशन कर के निवाचनक्षेत्रों को तय किया जाय, उस के लिये मेरा सुझाव है कि वहाँ के जिले लोग चुनाव में दिलचस्पी रखते हैं, उन सब लोगों की राय सी जाय और उन को राय का बहुमत अगर इस के बिलाफ हो तो वह कभी लागू न किया जाय।

यह कहना कि शहरों के अन्वर इस पद्धति को लागू किया जा सकता है किसी हद तक नमस्क में आ भी सकता है क्योंकि शहरों में कुछ पढ़े लिखे लोग होते हैं लेकिन शहरों में भी काफी तादाद में लोग गेर पढ़े लिखे हैं और वहाँ पर भी इस नई बोटिंग पद्धति को चालू करना खतरे से लाली न होगा। इस तरीके की बात जोकि एलेक्शन कमिशन नोटिफिकेशन के जरिये करना चाहता है और नोटिफिकेशन के जरिये अपनी कास्टीटुएंसीज को छाट कर के यह नई बोटिंग पद्धति को चालू करना चाहता है, उस से वर्तमान बोटिंग पद्धति जोकि सारे देश में फैली हुई है और जिस से जनता परिवित हो चुकी है, उस पद्धति की हत्या करना ही नहीं है बल्कि मैं समझता हूँ कि उस से जनतंत्र को बहुत नुकसान पहुँचेगा और इसलिये मेरा सुझाव है कि इस तरीके का नोटिफिकेशन क़तई भूल नहीं किया जाना चाहिये। यह नोटिफिकेशन बापिस्त लिया जाय और जो बोटिंग प्रणाली पहले से चल रही है, उस में जो विकलत और कमियाँ हैं, उन को हम दूसरे तरीके से मुकाबले में

**श्री कृ० बनवाई (कानपुर) :** अध्यक्ष महोदय, इस संशोधन के बारे में सदन में काफी लहा जा चुका है। मैंने इस सम्बन्ध में सिर्फ़ एक भी ज़्यु कहाँ है और वह यह है कि अगर मात्र देखें कि इस संशोधन से सिम्पली-

फिकेशन आक्र मोर्सिज्डोर हो सकता है या पैसे की बचत हो सकती है, तो आप ऐसा परिवर्तन भले ही कर लें।

पिछले दो चुनावों के दौरान हम लोग यह देख चुके हैं कि सब से बड़ी चीज़ जो हमारे बोटर्स के दिमागों में रहती है वह डर है। हमारे मंत्री महोदय भी इस चीज़ को देख चुके होंगे कि आम तौर से जो हमारे यांवों में या शहरों में रहने वाले भाई हैं वह डरते हैं, और डरते हैं स्लिंग पार्टी से कि कहीं ऐसा न हो कि हम बोट दे आयें और उस को किसी तरीके से इस का पता चल जाय। मेरी मोर्सिज्ड बहन रेणु चक्रवर्ती ने बहुत अच्छे तरीके से और तकसील के साथ इस को बताया है। मैं देखता हूँ कि मेरे अपोजीशन का कंडीडेट था, अगर गुप्त मतदान का भौका हमारे बोटरों को न मिलता होता, यानी कि वह कांग्रेस कैम्पस से आये और गुप्त रूप से बोट अपोजीशन के कंडीडेट को दें, तो शायद हम लोगों की जीत न होती।

इसलिये मैं कहता हूँ कि यह जो मार्किंग सिस्टम है उस में गुप्त मतदान का भौका नहीं है। लोग हमेशा सोचेंगे कि अगर वह सामने मार्किंग करते हैं तो सबों को पता चल जायेगा और हो सकता है उन के ऊपर डाइरेक्ट पा इनडाइरेक्ट तरीके से रिप्रेशन हो। मैं यह नहीं कहता कि कांग्रेसी भाई यह रिप्रेशन करेंगे, लेकिन उन की आड़ में दूसरे लोग कर सकते हैं। लिहाजा मेरा सुझाव है कि इस संशोधन को अभी स्वयंगत रखा जाय। माननीय मंत्री महोदय इस को अच्छी तरह से सोचें और जो सुझाव देंगे वही इमाम ने दिया है कि अभी तक जो नियम है उस पर अच्छी तरह से जीर कर के बदले इन संशोधनों पर विचार किया जाय। उस को स्वीकार किया जाय। आज के दूग में इस बचत तक हम दो चुनाव लड़ सकते हैं। इस नई पद्धति को बचाने से नुकसान ही होता, कोई अच्छी चीज़ नहीं होती।

[भी बजाए सिंह]

इन सव्वों के साथ मैं इस भी मुकालिफत करता हूँ और माननीय मंत्री जी से दबावास्त करता हूँ कि हो सके तो जो संबोधन इस समय सदन के सामने है उन को स्वीकार कर के और विचार करने का भौका हम लोगों को हैं ताकि हम कोई सही और सीधा साधा रास्ता निकाल सकें।

**Shri Bhanja Deo (Keonjhar):** Mr. Speaker, Sir, I would urge the hon. Minister of Law to consider whether this legislation which he has brought forward will actually be conducive to the practice of the secret ballot which we have introduced in our country. If we compare the figures of voters in my constituency, in my district during this election with those of the last election we will find that the number has decreased. That is because the people are not very literate in those areas and they hesitate to come and cast their vote, however free it might be.

In the context of the present legislation if a person has to put a cross across the symbol of the candidate he chooses, I doubt very much whether people of our part will come before the Presiding Officer to do it, because most of them are illiterate. Secondly, when they do not even know how to put the ballot paper properly inside the ballot box, if we ask them to put a cross against the symbol of the candidate they choose, how it will be possible is a matter for you and the hon. Minister to consider.

Already so much has been said about this matter. Therefore, I would again urge the hon. Minister to consider the matter sympathetically, especially the case of the people of the tribal areas where the people are not very literate and try to give the people of those areas the right to vote freely which the others will enjoy in their areas because of their not being literate. They should not be deprived of the right which their brethren will get in other parts of the country.

**Shri A. K. Sen:** Mr. Speaker, Sir, I am sorry that I have to oppose the amendment proposed by the hon. Member, Mrs. Renu Chakravarty. The reasons are many.

Most of the speeches in support of the amendment have proceeded on the basis that the rules which have been laid before the House, the amended rules, would make incumbent the introduction of this method of voting in all elections. That is why apprehensions have been expressed that the electorate is so illiterate that it is impossible to introduce this system generally.

**Shri S. M. Banerjee:** Not only illiterate but terrorised also.

**Shri A. K. Sen:** The second misunderstanding on which arguments have proceeded is that the system has been introduced arbitrarily without consulting the parties and therefore it is more or less forced on the Members here or on the nation. It is necessary, therefore, to give the historical background against which this new system was proposed in certain specified areas.

The first general election was held in the year 1952. The system, a very simple system, was adopted which as you all know, is the same as was adopted during the last general elections held in 1957. For each candidate there is a separate ballot box bearing a symbol of the particular candidate; the voter is allowed to carry his ballot paper and enter this room where the ballot boxes are kept and he puts his ballot paper in the box which he chooses. An illiterate voter recognises his box by the symbol. It was found as a result of the experience gathered during the first general election and also various by-elections which were held after the first general election that several vices had crept into the system, and that the system was really not immune from these vices. It is necessary to recount them in order to

appreciate the *raison d'être* for the introduction of the new system.

The first vice which was noticed was that it was possible for the illiterate voter—he may be a poor voter—to be induced not to drop his ballot paper in the box but to take it out and sell it for a price or for some other consideration. Secondly, voting became a slow process. Because, by force, only one could get entrance into the room where the ballot boxes were situate. As a result, it is my own experience and I am sure, shared by many others, in the rush hours on the polling day, long queues have been noticed and people get fed up. The process is bound to be slow and especially in a hot country like ours....

**Shri Punnoose (Ambalapuzha):** Is it contended that by the amendment of the rule, voting will be quicker?

**Mr. Speaker:** Let us hear: if there are doubts, we may ask at the end.

**Shri A. K. Sen:** If the hon Member will kindly hold himself, we are explaining certain defects in the present system. Whether the new system will remedy them or not is a different matter. We shall discuss that later. We are now dealing with the defects which became apparent in the present system. It was a personal experience I was telling hon. Members, to stand in the Sun, in long queues, waiting to be ushered into one by one for the purpose of being able to cast his vote.

Thirdly, allegations about tampering with ballot boxes were made in thousands, during the first general elections and during the last general elections. I am happy to say or sorry to say, that the allegations have mostly come from the opposition parties, parties opposing the Congress. In each case or in most cases where the Congress candidate had won, allegations had been made to the Election Commissioner that various boxes had been tampered with. Whether they had been

followed up later by an election petition or not is a different matter. Whether these allegations are true or not, whether the tampering was done in favour of the Congress or in favour of the opposition parties is not so pertinent as the question that tampering may be possible in certain circumstances and may be difficult to detect in certain other circumstances.

Hon. Members are well aware that the ballot boxes were designed in the last general elections in 1957 after consulting all the parties interested, making such boxes more or less proof against tampering. But, nevertheless, allegations have been made, not one or two, but many many hundreds.

It has been found that ballot papers, instead of being dropped into the boxes, had been strewn all over. That is the actual experience in various polling stations. Counting of votes becomes a slow matter because each box has to be transported separately, sealed, etc., and each box has to be counted separately. As a result, the announcement of results naturally gets delayed.

Before the last general election was held, in view of the various vices which came to the notice of the Election Commissioner, he called a conference of all the parties, major political parties which were recognised by the Election Commission. The Conference was held on the 30th of August and 1st of September, 1958. All the parties agreed that this system, before it is applied or used in general elections, should be utilised in by-elections in specified areas. Only one major political party recommended the adoption of this system for the general elections, that is, the Praja Socialist Party. Since most of the parties excepting one felt that this system should not be tried out for general elections, but should be used or experimented only in the case of by-elections in specified areas, the old system was continued for the general elections held in 1957. Thereafter, new rules were framed enabling the

[Shri A. K. Sen]

Election Commission to hold by-elections in specified areas after notifications being made in that behalf, for the purpose of really experimenting the use of this method in order to find out how it works out in this alleged mass of illiterate workers.

It is necessary to find out how it works out either in the urban areas or in rural areas, how it works out in advanced areas or in backward areas, how it works out in alleged advanced areas or alleged backward areas, in order to be able to decide whether it should be adopted generally or for particular areas, to see how it works in fact when utilised in particular areas. By way of sample or experiment, take a backward area, an advanced area, an industrial area, an urban area and so on. Gather your data in order to be able to formulate your policies in the future. In fact, all the major political parties agreed upon that.

I was most surprised when one or two hon. Members including Shri Mohamed Imam, whose experience is very long and cherished in this House, could not avoid the usual temptation of indulging in unnecessary attacks against imaginary grievances by saying that the whole thing has been arrived at arbitrarily by the Election Commissioner and forced upon the House. I am sure, had he the facts in his possession, which he should have had before starting these attacks, he would have revised his views and he would have agreed with us that before its adoption was prescribed by the formulation of these new rules, all the major political parties had agreed that this new method should be tried out in the coming by-elections.

**Shri Feroze Gandhi:** What about Jan Sangh?

**Shri A. K. Sen:** Is that a recognised party?

**Shri Feroze Gandhi:** Yes.

**Shri Funnosee:** May I seek a clarification?

**Mr. Speaker:** Later on. The hon. Member will note down the points.

**Shri Funnosee:** It is enough if you will please note down my name.

**Mr. Speaker:** I shall send paper and pencil to the hon. Member.

**Shri A. K. Sen:** In these circumstances, the new rules were framed and placed before the House.

The first purpose, as I have said, is primarily to find out how this system would work. Some say that the electorate is so ignorant and uninformed and helpless that such a system has to be only stated to be condemned. Others say that the electorate is not so un-intelligent, or uninformed or helpless as it is imagined to be. I personally think that they are not helpless. They are not ignorant; they know their business pretty well. In fact, the very complexion of this House reflects the intelligent voting which has come from the electorate which is not given due credit in this House. We have a beautiful mosaic reflecting all shades of public opinion in the country and I take it representing the vast mass of so-called illiterate and un-informed voters who have sent us all here.

Apart from these usual arguments, it is absolutely necessary to try it in specified places. We can trust the Election Commission to find out the data and report to us how it has in fact worked. It is no use trying it in urban areas where it is possibly bound to succeed or there are greater chances of success. For the purpose of finding out whether it will succeed, it is necessary to take sample areas, backward areas, so-called illiterate areas, communal areas, caste areas, and other areas in order to collate the facts and place them before us to give us a complete picture of the whole country, so that we may determine ultimately whether this system is fit to be adopted generally yet. There is no doubt about the fact that it must be adopted ultimately, but whether the time has yet come for

the purpose of general adoption is a matter which can only be decided by experiment on the field, for which purpose these rules have been framed. I am sorry to say, possibly the fault is on our side, that there has not been a clear idea in the minds of the hon. Members about the purpose behind the formulation of these new rules. After I have explained the purpose, I have no doubt that the hon. Members will agree that as a measure of experiment it is absolutely necessary to try it in some areas representing the country as a whole, so that we have the facts and figures on which alone we can determine when, if at all, we can adopt this system, and if not now when in the future.

Therefore, I submit all the fears and apprehensions, all the dark forebodings about the dismal failure which awaits this measure, or other predictions about how illiterate, ignorant, uninformed, shaking, trembling voters would react in the polling booths either as a result of imaginary terrorisation or as a result of other inducements, are matters which can be tried out in specified areas. What are the various inducements and impulses under various circumstances and environments? These are matters not for guessing, not for speech-making, but have to be found out by actual experience and that is the exact purpose for which we have adopted this measure, and I submit, therefore, that no amendment need be accepted, and that the measure as it is may be given a trial so that we know later on how it has worked out.

**Shri Punnoose:** The hon. Minister stated that the present system of voting means more of time. I would like to know the all-India average in this connection. In our place, if I remember correctly, two votes per minute were being cast, but I am quite sure that this new method will take at least two to three minutes for one vote. Hence it may take longer time.

**Shri A. K. Sen:** I beg the hon. Member's pardon. Really I ought to

have answered that. Here we may have several ballot boxes in front of the presiding officer, and more than one elector may go into a particular room which is screened from outside, put his mark in secret and then come back and put his ballot paper in the box, so that four or five may vote simultaneously.

**Shri Tangamani:** In the same room?

**Shri A. K. Sen:** Why not?

**Shri Easwara Iyer (Trivandrum):** Some may seek the clarification of the presiding officer and take his time.

**Shri A. K. Sen:** That is a different matter. We are now speaking about what would normally happen.

**Shrimati Renu Chakravarty:** I am afraid I do not know how the hon. Minister states four or five people can vote simultaneously.

**Shri A. K. Sen:** The voter comes back from the room and finds four ballot boxes in each of which he can drop his ballot paper, so that four may come back and drop their ballot papers at the same time.

**Shri Mohamed Imam:** Three by-elections are due to take place in Mysore within a fortnight. What will be the system adopted there, the new or the old?

**Shri A. K. Sen:** It is left to the Election Commission to notify. It will choose its own areas.

**Shrimati Renu Chakravarty:** I do not see any reason why, after hearing the hon. Minister's speech, the hon. Minister should find it difficult to accept my amendments. I do not rule out entirely that there should be certain polling stations which may, with the concurrence of the major parties, be declared by notification to be an area in which this experiment can be carried out. I have made only one reservation, namely that it should be carried out in municipal areas and not in rural areas. That, of course, is a matter of debate and at least the majority of the Members who have spoken here are completely convinced that the moment has not

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arrived to carry out this experiment, because even by-elections are important matters and therefore I do not think that we should allow blanket power even for by-elections.

But I would like to point out that in this notification there is not one single word which says that this is to be applied only to cases of by-elections. Once this Parliament allows this rule to go through, there is nothing to prevent this notification being used also for the general elections. In view of all these points I would like to know why it is not possible for the hon. Minister to accept my amendment?

**Shri A. K. Sen:** Because we want to know how it works out in the rural areas. We want to find out.

**Shrimati Renu Chakravarty:** What about the other point, that it is only for by-elections.

**Shri A. K. Sen:** That is a matter of construction in which I am sure I will get the support of the hon. Speaker. If it is for general elections it would have been worded differently. It says: ". . . at such election appointed under clause (c) of section 30, direct by notification in the Official Gazette that the method of voting by marking the ballot paper shall be followed in that election at such polling station or stations as may be specified in the notification." It is only in one or more specified cases that the notification will apply. If it is general election, there is no question of notifying for each case.

**Shri Punnoose:** I have to make a suggestion to the hon. Minister. The present arrangement proposed is that this announcement will be made not later than the date of withdrawal. What is the number of days between the date of withdrawal and the election?

**Shri A. K. Sen:** Twenty days.

**Shri Punnoose:** Only twenty days! It is too small. We have to re-educate the whole electorate. Therefore,

if this is to be introduced in a particular area, you may fix some time, not twenty days, because for a number of years now the present system has prevailed. At least that amendment should be there.

**भी भवत बास्तवः (गढ़वाल)** में यह जानना चाहता हूँ कि चूँकि लोक-सभा के लिए तीन उपचुनाव होने वाले हैं, एक उत्तर-प्रदेश में, एक बिहार में और एक मध्याख्यात में, तो क्या मार्किंग सिस्टम का उपयोग लोक-सभा के इन चुनावों के लिए भी होने वाला है ?

**Shri A. K. Sen:** Where it will apply will appear in the notifications. We do not know ourselves.

**Shri Vasudevan Nair (Thiruvella):** The hon. Minister himself stated that all the major parties have agreed to have this experiment. From that we gather that he does not want to impose it on the parties or the people. So, at least can he give us an assurance that it will be tried in a by-election only if the parties concerned agree to that?

**Mr. Speaker:** That is the amendment which he does not accept. He has already said in answer to this that there has already been an agreement and arrangement.

**Shri Punnoose:** No, Sir. He is misinformed.

**Mr. Speaker:** All right. He does not accept

Do they want a division on the amendment?

**Shrimati Renu Chakravarty:** Yes.

**Mr. Speaker:** Then this will stand over. If the amendment gets through, the rules will be amended, otherwise they will stand as they are. Nothing more to be said.

**Shri Sinhasan Singh (Gorakhpur):** There is one difficulty.

**Mr. Speaker:** Hon. Members are coming one after another now.

**Shri Simhasan Singh:** On page 2, in rule 41G, there is a clause like this:

"The elector on receiving the ballot paper shall forthwith proceed to one of the polling compartments and there make a mark on the ballot paper opposite the name of the candidate or each of the candidates for whom he intends to vote, in accordance with the instructions set out in the ballot paper and fold it so as to conceal his vote, and after showing to the presiding officer the distinguishing mark on the ballot paper insert the ballot paper so folded into the ballot box in the presence of the presiding officer."

This process will take a long time and instead of facilitating voters coming in, it will bar voters coming in. Every voter will take two to three minutes.

**Mr. Speaker:** The hon. Minister listed three or four grounds on which he brought these rules. One is that these votes will be pocketed or some other paper will be put in there. The vote will be passed on to his friend to ensure that the man voted for him. What happens in the case of postal ballot, where highly qualified men, write to their voters to send all those papers so that it will save some money and they may be sure of getting those votes. Then they collect all those papers and sometimes behind the back of the other person they use rubber and mark them differently.

All these things happen, and it is in order to deal with them that the hon. Minister has brought these rules. If it involves expenditure, that cannot be helped. Hon. Members have heard the reasons as much as I have done. They may vote one way or the other. The reasons have been given by the hon. Minister.

Now, we shall pass on to the other business.

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#### INDIAN SUCCESSION (AMENDMENT) BILL

**The Minister of Law (Shri A. K. Sen):** I beg to move:

"That the Bill further to amend the Indian Succession Act, 1925, as passed by Rajya Sabha, be taken into consideration".

This is really a consequential amendment necessitated by the integration of the State of Jammu and Kashmir. Hon. Members will recollect that under section 382 of the Indian Succession Act, the provisions relating to succession certificates granted by the States of India apply to all part B States except Jammu and Kashmir. Since that time, the State of Jammu and Kashmir has been integrated with India. As a result, this amendment has become necessary so as to enable a succession certificate granted by the State to have operation in the rest of India like all other Part B States.

[**MR. DEPUTY-SPEAKER** in the Chair].  
13.40 hrs.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Indian Succession Act, 1925, as passed by Rajya Sabha, be taken into consideration".

**Shrimati Renu Chakravarty (Basirhat):** This is a formal Bill, no doubt, and it only seeks, as the Minister has said, to apply the jurisdiction of the Indian Succession Act also to Jammu and Kashmir.

There is only one point I would like to make. We are amending once again the Indian Succession Act. I was looking through the amending Acts and Adaptation Orders; they seem to have been quite numerous—almost 14 Amending Acts and Adaptation Orders have been there. Now, this is one more amendment. I would have liked this amendment to come immediately after the passing of the Hindu Succession Bill. We should have brought this amending Bill also then for bringing the Indian Succession Act in line with the Hindu Succession Act.

I just want to point out one discrepancy which now continues between the Indian Succession Act and the Hindu Succession Act. According to the Indian Succession Act, if the wife has children, she can only

[Shrimati Renu Chakravarty]

inherit one-third of the property of the husband—if I am correct. In the case of the Hindu Succession Act, if the wife has a child, she gets one share and the child gets one share. That is, they get equal share. As a matter of fact, now under the Hindu Succession Act, the wife, getting an equal share, is in a better position. Originally, as regards people who were governed by the Indian succession law, some of us, women at least had the right to property. Now women, especially Hindu women, have been given the right to property and wives are in a more advantageous position than the wives who are governed by the Indian Succession Act.

Therefore, I do feel that this should have been one of the important amendments which should have been incorporated in the Act itself. We should not have tried to perpetuate this inequity which now prevails. Because the Indian Succession Act had not been so amended and because we have had such a series of amending Acts, it would have been the right thing to have seized this opportunity to do this.

Of course, there are other points which I will not bring up here because they will not be directly pertinent. But I would like to urge upon the hon. Minister that he should at the earliest opportunity bring forward another amending Bill—because he has not brought in this amendment in this amending Bill—incorporating this provision so as to bring up the Indian Succession Act at least on par with the Hindu Succession Act so far as the right to property given to the wife is concerned.

**Mr. Deputy-Speaker:** The wife should have the best of both worlds?

**Shrimati Renu Chakravarty:** No, it is the same as in the other Act.

**Shri Easwara Iyer (Trivandrum):** I find that the Indian Succession Act has been always going through a series of amendments and I am just wondering when the time will come to implement the directive principles

of State policy embodied in the Constitution for bringing about a uniform civil code, particularly succession.

Of course, this is a very formal amendment which has been proposed. But I want to bring it to the notice of the Minister at this juncture that the time is ripe for us to consider the desirability of having a uniform code of succession, instead of dabbling with the Hindu law of succession, the Mohammedan law of succession, the Marumakkattayam law of succession and various others. All these laws had prescribed diverse rules of succession. These rules of succession have confounded even the best legal brains.

So in this connection, I may venture to suggest to the Law Minister that expeditious steps may be taken for bringing about an amendment of the Indian Succession Act in such a manner as to bring every citizen of India within the ambit of that Act.

**Shri A. K. Sen:** From what I have heard from the two hon. Members opposite, I understand that they do not really oppose this Bill but they are suggesting further amendments to the Indian Succession Act in future so as to bring in provisions which, according to them, are more equitable than those which are there at the present moment.

It is not really necessary to deal with that question now, but since it has been raised, one or two words would be necessary. The Indian Succession Act deals with various provisions. Some provisions apply to all, whether they are Hindus, Muslims, Parsees or Christians.

**Shri Easwara Iyer:** That is testate succession.

**Shri A. K. Sen:** Yes, I did not want to use that expression, which is a technical expression, but I wanted to confine myself to terminologies which are more easily understood.

Certain other provisions apply only to non-Hindus, non-Muslims and non-Sikhs—in other words, persons belonging to communities which have

their own personal laws of succession. Intestate succession occurs when a person dies without leaving a will disposing of his property, in which case his properties are inherited according to the personal laws by which he was governed at the time of his death. If he was a Hindu, he was governed by the Hindu law, if a Muslim by the Muslim law; if he was a Christian, Parsi or Jew, by the Indian Succession Act, so far as intestate succession is concerned. Succession certificate applies to all communities. That means, the heirs of a person, whether he dies as a Hindu or Muslim or Christian, may apply to the court having jurisdiction to obtain a succession certificate, which is really a warrant authorising them to collect all the properties and outstandings due to the estate of the deceased. The purpose is to indemnify those who would be paying to the heirs of the deceased against any possible claims by any person who claims interest in the estate of the deceased. Succession certificates were granted, and are granted, by district courts and High Courts in various States. The State of Jammu and Kashmir was not brought within the purview of the Indian Succession Act for the purpose of giving efficacy to their succession certificates in the rest of India.

After the integration of Jammu and Kashmir it has become necessary to accord the same treatment to succession certificates granted by the courts of the State of Jammu and Kashmir as the courts in other States. That is why this amendment.

As to whether we should change the Hindu Law or the Muhammadan Law or the law of intestate succession by giving greater or less rights to women, to daughters or to wives or sons are matters which really do not arise for discussion here. They are questions on which this House has debated and accepted certain laws of succession so far as Hindus are concerned. It is difficult to have a Central Act for Muslim succession. They have their own personal law.

The hon. Member opposite is advocating the adoption of a uniform

Civil Code governing succession irrespective of all religion, caste or community. That is a step which might be aimed at. Frankly speaking, I do not think it is feasible at the moment to tell the Muslims that they must have some other law than their own law. It is a thing on which we shall not embark at the present moment.

Similarly, with regard to the Hindus to say that they should not be governed by their own law but by some other statute law regarding succession is an adventure which may be thought of later, especially, in the case of Hindus, when we have adopted a complete Code governing succession and other matters. Therefore, with these words, I trust the House will accept my motion.

**Mr. Deputy-Speaker:** I am putting the motion to the House. The question is:

"That the Bill further to amend the Indian Succession Act, 1925, as passed by Rajya Sabha, be taken into consideration".

The motion was adopted.

**Mr. Deputy-Speaker:** I am putting all the clauses together.

The question is:

"That clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1, 2, the Enacting Formula and the Title were added to the Bill.

**Shri A. K. Sen:** Sir, I beg to move: "That the Bill be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

The motion was adopted.

#### REPEALING AND AMENDING BILL

**The Minister of Law (Shri A. K. Sen):** Sir, I beg to move:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration".

[Shri A. K. Sen]

This, again, is a very formal matter. These are periodical Bills which are brought before Parliament in every country regarding the fact that certain laws which have undergone transformation by a repeal wholly or partially or by way of amendment and these total or partial repeals or total or partial amendments are mentioned in the Bill itself in the Schedule.

In India as in other countries governed by written Constitutions, we have a further difficulty which has to be met by such periodical legislation. We had many laws which held the field before the Constitution was enacted and before the Constitution came into force. The Constitution, by article 13, declared all laws which are repugnant to the Constitution as bad. Now, from time to time various provisions of law are condemned by courts in different parts of the country as bad, as offending the Constitution.

For instance, we have in the Schedule, as hon. Members will find, an old Soldiers Act which had a provision imposing forced labour. Under the Constitution, by reason of article 23 such a provision has become repugnant to the Constitution. Therefore, in this Repealing and Amending Bill we have also included certain provisions which have, since last the Repealing and Amending Bill, come to our notice as being repugnant to the Constitution and, therefore, bad. They have become bad without a formal repeal or formal amendment because they as such offend the Constitution. Therefore, it is really a compilatory legislation giving the picture at a glance of those laws which have, by reason of repealing or amending enactments become partially or totally obsolete or partially or totally changed or which have become partially or wholly bad because they offend the Constitution.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by

Rajya Sabha, be taken into consideration".

**Shri Easwara Iyer** (Trivandrum): Mr. Deputy-Speaker, Sir, of course the hon. Law Minister would say that it is routine legislation. But a perusal of the Schedules contained in this Bill will show that more than 100 enactments are repealed and more than 20 or 25 enactments are subjected to amendments.

The hon. Law Minister will agree with me that it will be very difficult for even the best of memories to keep track of the number of legislation that is sought to be repealed or amended. And, within the short time that is available for us, it is practically impossible to go through them. Some of them were enacted at a time when some of us had not seen the light of day. I find in Schedule I, there is a Regulation of 1825, the Bengal Troops Transport Regulation of 1825; and there is another of 1806, the Bengal Troops Transport and Travelling Assistance Regulation of 1806 and so on and so forth.

In this case, I am only seeking a clarification as to why these defective legislation, if they are defective, were not discovered earlier even though 7 years have elapsed since the passing of the Constitution or 10 years since the day of our independence. Possibly, the red-tapism of the Law Ministry and their slowness may be responsible for discovery at this length of time.

But, I would suggest that instead of bringing in this periodical Amending and Repealing Bill, there must be a Law Revision as a whole to find out which are the laws which are obsolete, exploded or repugnant to the Constitution. We must have a Law Revision Committee just as we have got the Law Commission to go into the entire Central laws and tell what are the laws that rule us. The old maxim is well-known to us that 'Ignorance of Law is no excuse'.

Possibly, legislation of this nature would be useful for a lawyer or a member of the legal profession

because he can immediately get at it and find out which are the laws that are in force. But, when we are to discuss all these matters before this House, we have to find out whether this Repealing enactment does repeal any essential laws or whether repealing is necessary or expedient.

Some amendments are proposed. A verbal amendment proposed may involve very serious consequences and within the short time that is available, without any Statement of Objects and Reasons or an explanatory note it is difficult for any one of us to say as to whether this legislation is absolutely necessary.

The Law Minister has said that it is a routine matter and in a short speech introduced the Bill, I was waiting to see whether he was proposing any amendment and to hear the reasons for those amendments. But, he may also plead that it may not be possible for him to give the reasons for the amendments proposed. In such circumstances, it is better, instead of bringing this Repealing and Amending Enactment, as I said before, we should have a Law Revision Committee which will propose the amendments in the laws. While suggesting amendment or repeal it will give reasons for repealing or amending so that this House may be in a position to examine the necessity or expediency of the legislation that is proposed.

For instance, in this legislation it is said that a vital provision like section 27A of the Insurance Act is supposed to be repealed. It will not be possible for any one to find out what exactly the scope of the amendment or repeal is. My submission is that though the original amending Bill of 1957 might have been passed and some other repealing Acts might have been passed before, such practice should not be adopted. The Law Minister may say that in other systems of jurisprudence and other legislatures such enactments have been made. We need not imitate them; we will follow our own procedure whereby the House is put in full possession of the facts and figures.

I, therefore, commend that this procedure may be dropped and law revision be taken up periodically.

14 hrs.

**Shrimati Renu Chakravarty (Basirhat):** I would support what has been stated by my friend, Shri Easwara Iyer. I think we are forced to pass these repealing and amending Bills in a hurry and so we are not able to go into the voluminous books which would be necessary if we want to check up.

One thing occurred to me. On page 18 of the Second Schedule, we find that the Jammu and Kashmir (Extension of Laws) Act, 1956 is being amended. It reads here:

'for the words "belonging to any municipality in Delhi or any land belonging to the Improvement Trust, Delhi, whether such land is in the possession of, or leased out by, the Improvement Trust", the words, "vested in the Delhi Improvement Trust or a local authority in that territory, whether such premises are in the possession of, or have been leased out by, the Trust or local authority, as the case may be" shall be substituted.'

This amendment is sought to be made. After a while we will have to come back again for another amendment. The Bill that was introduced yesterday says that they are going to do away with the Improvement Trust. I want the hon. Law Minister to realise that this matter should be gone through with care so that it is not necessary for him to come forward every now and then with long lists of repealing and amending Acts. We are also unable to go into the details of it. Therefore, this suggestion of having a law revision committee is good and I hope it could win the acceptance of the Government.

**Shri A. K. Sen:** Mr. Deputy Speaker, the question of a statute revision committee is quite different. The purpose of statutes like the present one is to give effect to facts which already exist, which have come about by reason of other enactments

[Shri A. K. Sen]

whereas the purpose of a statute revision committee is to recommend what further Acts should be passed in order to modernise or improve the existing statutes. That is different.

The Law Commission has been set up. The first part of its duty is to report on various statutes and statute revision. The present Act is really concerned with giving effect to facts which have already been brought about by other legislation.

Shrimati Renu Chakravarty made certain observations. In the Second Schedule attached to the Original Bill, on page 21, there is the reason. This will make it clear why it is quite different from a statute revision committee. The last paragraph there reads:

"Jammu and Kashmir (Extension of Laws) Act, 1956: The amendments have been rendered necessary by reason of two important changes made by the Government Premises (Eviction) Amendment Act, 1956, immediately before the passing of the Jammu and Kashmir (Extension of Laws) Act, 1956, viz., change of the short title from the Government Premises (Eviction) Act, 1950, into the Public Premises (Eviction) Act, 1950, and change of the expression "Government premises" into "public premises"."

If some legislation brings about a change, we are to introduce consequential changes in the law if that is affected by such legislation. The hon. Members have had an opportunity to debate the merits at the time that law was passed; this has no concern with the merits or demerits of those changes or laws. It is only put in a complete form as a result of the changes which have already been made.

**Mr. Deputy-Speaker:** Now, I shall put the motion to the vote of the House.

"That the Bill to repeal certain enactments and to amend certain other enactments, as passed by Rajya Sabha, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** There are no amendments. I shall put the clauses and the schedules to the vote of the House. The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clauses 3 and 4, the First Schedule, the Second Schedule,*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri A. K. Sen:** Sir, I beg to move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** I shall put the motion to the vote of the House. The question is:

"That the Bill be passed."

*The motion was adopted.*

#### RESOLUTION RE: INTERNATIONAL CONVENTION FOR PROTECTION OF CULTURAL PROPERTY IN EVENT OF ARMED CONFLICT

**The Minister of State in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall):** Sir, I beg to move the following Resolution:

"This House approves the Convention for the protection of cultural property in the event of armed conflict, as passed at the Hague on the 14th May, 1954, and signed by the representatives of the Government of India and of the Governments of certain other countries, and is of the opinion that the said convention should be ratified by the Government of India."

Sir, in moving this Resolution, I should like to say a few words with regard to the origin of this Convention and some of its special features. During the last World War, it was realised that along with the other ravages of war, the greatest damage that awed us was the destruction of cultural property. History of culture is the history of human civilisation. If we destroy the cultural property, we destroy the very basis of civilisation. Unfortunately, during war, people stoop to the lowest bottom and the finer instincts and human values are lost sight of with the result that human beings do not discriminate between good things of life and evil things. This truth was realised by UNESCO and a conference was called at the Hague on 14th May, 1954, where this convention was adopted.

This document has three parts: one is the Convention for the protection of cultural property in the event of armed conflict, the second is the Regulations for the execution of the said convention and, thirdly, there is a Protocol to the convention for the protection of cultural property in the event of armed conflict.

Article 1 of this convention defines "cultural property", which covers movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular, archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art, manuscripts, books and other objects of artistic, historical or archaeological interest, as well as scientific collections and important collections of books or archives or of reproductions of the property defined above. Then it covers buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refugees intended to shelter, in the event of armed

conflict, the movable cultural property defined in sub-paragraph (a). Then there are centres containing a large amount of cultural property as defined in sub-paragphs (a) and (b), to be known as "centres containing monuments".

There is a provision for safeguarding of the cultural property. It is said:

"The High Contracting Parties undertake to prepare in time of peace for the safeguarding of cultural property."

And, they are expected to take measures which they consider appropriate.

The most important provision in this convention is to enjoin upon the contracting parties to respect the cultural properties, whether the cultural property is within the territories which are in the possession of the contracting parties or to the parties in the opposite camp. To whichever side the cultural property may belong the contracting parties are expected to show respect towards it, and should not do anything which would do damage or harm to the cultural property.

The High Contracting Parties also undertake to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of, and any acts of vandalism directed against cultural property.

Then, after the armed conflict if some territories have been occupied by the opposite parties, people are expected to respect the cultural property, and the occupying powers are expected to co-operate with the national authorities to take all such measures which may help in the preservation and protection of cultural property.

There will be a distinctive emblem which will mark all the cultural property which needs protection. Just as we have a mark for the International Red Cross Society there will be an emblem to protect all the cultural property.

[Dr. K. L. Shrimali]

It is proposed to maintain under these articles an international register which will enter all the cultural property which requires special protection.

Certain special measures will be taken when the cultural property is being transported from one territory to another. It will have all the protection of the contracting authorities and the cultural property will be transported under special protection.

With regard to regulations there is a provision for the appointment of a Commissioner-General for cultural property. An international list will be prepared. Names will be suggested by the contracting parties and the list will be periodically revised on the basis of requests formulated by the contracting parties.

With regard to Protocol the contracting parties undertake to prevent the exportation from a territory occupied by them during an armed conflict, of cultural property as defined in Article 1. If certain property has been imported into any territory directly or indirectly, it enjoins upon the contracting party to return it safe to the party to which it belongs at the close of the hostilities.

These are some of the provisions of this convention. It is quite true that humanity has now discovered weapons which can destroy everything including civilisation itself. To that extent this convention becomes ineffective. But, at the same time, this convention is a reminder to humanity that if cultural properties are destroyed it will destroy the very basis of civilisation. It also awakens the conscience of mankind.

At the conference the convention was signed by 44 nations and among these who signed were USA, UK, France, German Federal Republic and Japan. Included among the 44 nations which have signed the convention but have not yet ratified it are: USA, UK, France, German Fed-

ral Republic and Japan. The information that we have received up to 24-5-1957 shows that so far 10 countries have ratified the convention. Among the countries which have ratified the convention are: Byelo Russia, Egypt, Hungary, Mexico, Poland, St. Merino, Ukrainian S.S.R., Union of Burma, USSR, and Yugoslavia. In addition, Bulgaria and Ecuador have become parties to the convention but not to the Protocol.

India has always stood for peace. India has always not only respected its old culture, but has respected the cultures of other countries, and it is in consonance with our general policy that we should ratify the convention. The Rajya Sabha gave unanimous support to this convention, and I appeal to the House to adopt this motion.

**Mr. Deputy-Speaker:** Resolution moved:

"This House approves the Convention for the protection of cultural property in the event of armed conflict, as passed at the Hague on the 14th May, 1954, and signed by the representatives of the Government of India and of the Governments of certain other countries, and is of the opinion that the said Convention should be ratified by the Government of India."

**Shri H. N. Mukerjee (Calcutta-Central):** Mr. Deputy-Speaker, Sir, I welcome the resolution which has been brought up by the Minister, and I only wish that we in this House had an opportunity of ratifying this Convention even earlier. The Convention was signed at the Hague in May, 1954, and we have taken about three years before ratification. I know that there are certain formalities to be gone through, and, surely, the different Ministries of the Government of India which are concerned in this matter had to be consulted; but even so I feel that this matter perhaps might have been

expedited. In any case, it is a pleasant thing that now we are having a ratification of this Convention.

I find that there are certain countries like the United Kingdom or the United States of America which, even though they were signatories to the Convention at the Hague, have not yet confirmed it. On the other hand, I find the Soviet Union and certain other countries have already ratified it. I do not deduce any conclusions therefrom, but I fear that the United Kingdom when it sent its forces to bomb mosques in Oman, which certainly had some kind of architectural importance, had a kind of guilty feeling about this matter, and that is why perhaps there is this delay in ratification.

Sir, war in these days has become such a nightmare that whatever is done to minimise the effects of the devastation which war lets loose is certainly welcome. But I fear that we cannot have any effective precaution against the destruction of our cultural properties till we outlaw the kind of war which is carried on in the present day. At one time there was a kind of a halo or romance about war. But there is nothing like that today. It is sheer diabolical horror, and when we hear about what is going to happen to the world when all the forces of nuclear warfare are let loose, then we despair about the future of civilisation. Therefore I feel that as we ratify this kind of Convention, we recall to ourselves the determination, which we must have in India in particular, to bring about the outlawing of the kind of warfare which is threatening the world today.

In regard to this Convention as it has been formulated at the Hague, I have certain grouses, even though I know that till this Convention is actually sought to be put into execution these defects would not be removed. But I find that there is a very specific mention of a qualifying idea, that the obligations mentioned in paragraph 1, which is a vital para-

graph of the Article, may be waived in cases where military necessity imperatively requires such a waiver. Now, military necessity can very well be defined by States at war in such a fashion as would enable them with impunity to disregard the obligations imposed upon the States by this particular Convention. I should, therefore, wish that our Government tries later on to bring about a change in this particular clause which says that where military necessity demands it, then all these articles would be waived and the special protection given to cultural properties, cultural monuments, etc. would not then be available.

I find also certain other provisions which in war time are likely to cause a great deal of difficulty. Special protection is offered to cultural property and to centres containing monuments and other immovable cultural property provided they "are situated at an adequate distance from any large industrial centre or from any important military objective constituting a vulnerable point such as, for example, an aerodrome, broadcasting station, establishment engaged upon work of national defence, a port or railway station of relative importance or a main line of communication". This is provided here.

I feel, for example, in our country we have very important cultural treasures situated near strategic places. Take, for example, Bombay. Very near Bombay is the island of Elephanta, and Elephanta houses some of our greatest cultural treasures. If Bombay is going to be, kind of, put out of commission for any purpose of defence, that is a different matter. But Bombay we cannot put out of commission in case there is a war—which Heavens forbid. But in that case there will be hardly any protection to the architectural treasures in the island of Elephanta. Let us take, for example, Mahabalipuram, not very far from Madras. And Mahabalipuram itself is right on the sea.

[Shri H. N. Mukerjee]

and you get a light-house also there. And altogether the argument might be propounded that Mahabalipuram is so very near Madras and right on the sea with a light-house also, and therefore the cultural treasures there should not be entitled to protection. Or take Konarak which is also near the sea. There would be this kind of difficulty. I could multiply instances. But this shows, we operate today in such a difficult situation that even on a matter where every country is united in regard to the protection of cultural property, we cannot formulate our decisions in a manner which would be entirely satisfactory.

Then I find that it is said that "a centre containing monuments shall be deemed to be used for military purposes whenever it is used for the movement of military personnel or material, even in transit". Now, "even in transit" is an expression to which I take objection. Ajanta and Ellora are not very far from Aurangabad. Suppose "in transit" is interpreted in a particular fashion, there might be some difficulty about giving real protection in war time to such places as Ajanta and Ellora.

Sir, I have just hurriedly gone through the provisions of this Convention, and I find that there are certain difficulties. I see also that a reference is made to the case of a port, railway station or aerodrome, and if there is any immovable cultural property situated near a port, railway station or aerodrome, it will be almost impossible to offer it the protection that we ought to give it.

These are the difficulties that arise in regard to the working of this Convention. I know that these difficulties will be sought to be removed after we have collected some experience later on. But there is no invoking of these provisions—we do wish that we could outlaw war altogether—but if there is a war we cannot invoke the protection of this Convention. If a nuclear war is let loose on the

world there is not the ghost of a chance of saving our architectural and other cultural treasures in this country.

Speaking on this matter I am reminded of two other items to which I shall make a very hurried reference. One was, I was grieved beyond words when I found our own Government not being particularly careful about the cultural treasures which are there in our country, even in peace time. I refer to a matter about which Dr. Shrimali is very well conversant, and that is the fate of the Nagarjunakonda relics. The other day in the other House Dr. Shrimali said that "all the relics there could not just be saved; the Government is taking all possible measures to protect whatever could be protected". I know there has been some difficulty in this matter because of Andhra Desh needing the Nandikonda project going ahead and that sort of thing. I do not want to stand in the way of the Nandikonda project, but it hurts me like anything to see the Nagarjunakonda relics being washed away—and they are being washed away. The Architectural Department told the Government very clearly that it is absolutely impossible to save all the relics. Government has an idea of putting the museum somewhere, having an artificial lake and an island there and all kinds of other contraptions. But actually the idea is that on an architectural site the site should be maintained and the museum should be on the site itself, not somewhere else. But here we have said good-bye to all ideas in regard to cultural property.

I wish also to refer to another matter which is mentioned in the protocol here. It says, "Each High Contracting Party undertakes to prevent the exportation from a territory occupied by it during an armed conflict, of cultural property as defined in article 1 of the Convention". They also undertake "to return at the close of hostilities, cultural property which

is in its territory". What has happened in our country is that even without a war happening, our cultural properties have been taken away to Great Britain. The India Office Library is an instance in point. We have been crying hoarse for so many years now for the return of the India Office Library and the cultural treasures which had been taken away to London. Government tells us over and over again, in answers to repeated questions in this House, that there is no response from the United Kingdom in regard to the return of the India Office Library, which belongs to us. In peace time, Sir, the artistic treasures, cultural property, which belong to us when taken away to other countries and even though we have the most friendly relations, we cannot get them back. And we now have the convention that after the war, after the country is occupied, we shall get everything returned by the occupying power. But the world being conditioned as it is today, other considerations than considerations of decency and international equity and international equal relationship prevail. And that is why we find that the whole world is in such a very sorry mess. Even so, we wish that every effort is made to bring about the preservation of our cultural properties and this convention is a step in that direction.

This convention by itself will not be enough. We do want an outlawry of war, especially of nuclear warfare and all that kind of monstrosity which now threaten civilisation. So, I feel that when we pass this resolution, ratifying the convention, we should recall and reinforce our determination not to rest till we have brought about the outlawry of the kind of war which threatens the future of civilisation and of all mankind.

I support this resolution and welcome it.

**जी बबराज निह (फिरोजाबाद) :**  
उपाध्यक्ष महोदय, इस प्रस्ताव का मैं स्वागत

करता हूँ और चाहता हूँ कि यह सदन इस को संवर्सम्मति से पास करे। इस के साथ ही यह भी आवश्यक है कि हम उन विवारों की तरफ भी बढ़ें, जो कि दुनिया में किसी प्रकार के युद्ध को खत्म करने के लिये कठिन हैं। चूँकि इस प्रस्ताव का असर युद्ध की विभीषिकाओं पर पड़ता है और इस के द्वारा हम उन को कम करने में समर्थ होंगे, इसलिये यह प्रस्ताव पास होना चाहिये, लेकिन उन कदमों का भी स्वागत करना चाहिये, जो कि दुनिया में किसी प्रकार के युद्ध को खत्म करने के लिये आवश्यक है। इस सिलसिले में मैं यह सुझाव पेश करना चाहूँगा कि हिन्दुस्तान की सरकार और हमारे प्रधान मंत्री डस तरह के कदम उठायें, जिस से दुनिया में एक ऐसी बाल्ड गवर्नेंट—विश्व सरकार—की स्थापना हो सके, जिस में आवादी—जनसंघ—के हिसाब से प्रतिनिधि चुने जायें और उस गवर्नेंट का यह काम हो कि वह दुनिया में किसी प्रकार की लड़ाई न होने दे।

जहाँ तक हिन्दुस्तान की जनता का प्रश्न है, वह हमेशा मे ही शान्तिप्रिय रही है। हम ने कभी भी किसी पर हमला करने की कोशिश नहीं की है और अपनी उसी परम्परा के अनुसार हम चाहते हैं कि दुनिया में इस तरह की परिस्थितियां कायम हो कि कोई युद्ध हो ही नहीं और जब कोई युद्ध नहीं होगा, तो फिर इस तरह के प्रस्तावों की आवश्यकता भी नहीं होगी। लेकिन आज, जब कि दुनिया में लड़ाई का खतरा बना हुआ है, इस तरह का प्रस्ताव पास करना आवश्यक है कि हम लड़ाई में सांस्कृतिक महत्व की चीजों की रक्खा करें। फिर भी हम को यह प्रयत्न करना चाहिये कि दुनिया में लड़ाई का अवसर ही न आये।

**थौ. सिहासन सिंह (गोरखपुर) :** उपाध्यक्ष महोदय, जो प्रस्ताव आज इस भवन के सामने है, वह इस बात का निर्देशक है कि

[भी सिंहासन सिंह]

बुनिया के देश और बड़ी बड़ी शक्तियाँ इस विचार-वारा पर आ रही हैं कि वे सांस्कृतिक वस्तुओं का नाश न करें, क्योंकि उन का नाश हो जाने पर हमारी सारी सम्पत्ति का नाश हो जाएगा और कुछ भी बाकी नहीं रहेगा। लेकिन, जैसा कि हमारे भाई श्री हीरेन मुकर्जी ने कहा है, जब तक दुनिया में न्युकलियर बमों की लड़ाई का डर बना रहा और दुनिया की बड़ी शक्तियाँ—एक तरफ अमरीका और दूसरी तरफ इस—प्रलीमेट वैपन की तलाश में रहेंगे, जोकि सब से ज्यादा नुस्खान कर सके, तब तक इस प्रकार के प्रस्ताव का कोई विशेष अध्य नहीं है। पिछले दिनों हम ने अलबारों में पढ़ा है कि रशिया ने एक ऐसा अवृत्त निकाला है, जोकि एक स्थान पर बैठे बैठे हजारों भोल की दूरी पर भेजा जा सकता है और वहाँ पर निर्दिष्ट स्थान पर भार कर सकता है। इस अवस्था में इस बात का पता नहीं चल सकेगा कि कौन सा स्थान सांस्कृतिक महत्व का है, कौन सा मन्दिर है और कौन सी लाइब्रेरी है और सब कुछ स्वाहा हो जायगा। इसीलिये इस बात की मांग की जा रही है कि न्युकलियर बम को बैन कर दिया जाय। इस कनवेन्शन को हम ऐटिफाई कर रहे हैं और करना ज़रूरी भी है, लेकिन इस के माध्य ही इस सदन को यह प्रस्ताव ऐड कर देना काहिये कि हम अनुभव करते हैं कि अगर इस प्रस्ताव को सार्यक करना है और वास्तव में सांस्कृतिक महत्व के स्थानों की रक्खा करनी है और संसार की सभ्यता को बचाना है, तो यह आवश्यक है कि हवाई जहाजों के द्वारा बांधिंग सिस्टम को बन्द कर दिया जाय और जब तक यह नहीं होता, तब तक यह प्रस्ताव काशक पर ही धरा रह जायगा और इस का महत्व एक मनोवैज्ञानिक विचार और अभिलाषा में अधिक नहीं होगा। इस सम्बन्ध में कोई अमेडमेंट पेश

करने का भौका तो नहीं विला, लेकिन अगर गवर्नरमेंट चाहे, तो वह ऐड कर दिया जाय कि हम यू० एन० ओ० से अधील करते हैं कि न्युकलियर वारफेर को बैन कर दिया जाय, क्योंकि उस का स्तर रहते यह प्रस्ताव एक आकांक्षा मात्र रह जायगा और उस का कोई विशेष असर होने वाला नहीं है।

अभी इस सदन में एक धारा पढ़ कर सुनाई गई है, जिस में किसी विशेष स्थान की स्थिति का जिक्र किया गया है और कहा गया है कि अगर कोई सांस्कृतिक महत्व का स्थान F सी ऐसी जगह के करीब हो, जोकि युद्ध की दृष्टि से महत्वपूर्ण हो, तो वह इस कनवेन्शन के अन्तर्गत नहीं होगा। दिल्ली में ऐसे बहुत से स्थान हैं, जोकि सभ्यता और संस्कृति की दृष्टि से बहुत महत्वपूर्ण हैं, लेकिन इस धारा के अनुमार वे रक्खा के योग्य नहीं समझे जायेंगे। उदाहरण के लिये हमारा यह पालियामेंट भवन राज्य सत्ता का विषय भी है और जान का विषय भी है, लाइब्रेरी भी है। इस में भेद कैसे किया जा सकेगा? जब बम यहा गिरेगा, वह सब कुछ नष्ट कर देगा। मैं समझता हूँ कि किसी भी देश में कोई स्थान ऐसा नहीं होगा, जो कि मास्क्रिनिक दृष्टि से महत्वपूर्ण हो और स्ट्रेटेजिक स्थानों में कुछ भोल दूर हो, मिवाय उन पुराने मन्दिरों और मकबरों के, जो कि जगलों में हैं या किसी अलग अलग जगह पर स्थित हैं। लेकिन अगर कोई पलटन उस रास्ते में निकल गई, तो उन को भी बास्तव किया जायगा। मैं यह निवेदन करना चाहता हूँ कि इस प्रकार की धाराओं से इस कनवेन्शन का कोई महत्व नहीं रह जाता है। किर भी इस में का हृदय से समर्थन करता है। दुनिया में शान्ति बनाये रखने के लिये जो भी काम किया जाय, वह अच्छा है। यह खेद की बात है कि यू० एस० ए० और यू० के० में अभी तक इस कनवेन्शन का

समर्थन नहीं किया है, हालांकि इस को बड़े सीन आर साल हो गये हैं। जहां तक हिन्दु-स्तान का तात्पुर है, लड़ाई का खतरा हिन्दुस्तान से नहीं है, वह यू० के० से है और यू० एस० ए० से है। अभी अभी यू० के० और फ्रांस ने मिल कर मिश्र पर धाकमण किया और इस तरह दुनिया में लड़ाई का खतरा बढ़ा कर दिया। उस छोटी सी लड़ाई में कितना नुकसान हुआ, इस का पता तो बाद में चलेगा, लेकिन जब तक यू० एस० ए० और यू० के० इस का समर्थन न करें, तब तक यह समझीता एकाग्री होगा। आज दुनिया में दो विचार-धाराओं में सधर्व हो रहा है और उन का मिलन नहीं हो रहा है। डिस-आर्मार्मेट काफ़ेरेस कई महीने तक बैठी रही। और आखिर मेरे बगैर कुछ फँसला किये उठ गई। बड़ी शवित्रयों में इस बारे में बड़ा भत्तेद है कि कौन से अस्त्रों को हम कम करें, कितनी सेना कम करें, इत्यादि। नतीजा यह है कि उन मे कोई ऐसला नहीं हो सका है। इस बात की बहुत आवश्यकता है कि इस समय राष्ट्रों में शस्त्रास्त्र बढ़ावे जाने की जो प्रवृत्ति है, उस का अन्त किया जाय। तभी दुनिया में शान्ति बनी रह सकती है और तभी सम्यता और संस्कृति की रथा हो सकती है।

इस सदन मे इस बात का भी जिक्र किया गया है कि लन्दन में हमारी जो लाइ-बरेरी पढ़ी हुई है, उसे लौटाया नहीं जा रहा है। अभी बताया गया है कि इस कनवेन्शन के अनुसार, अगर युद्ध मे एक राष्ट्र किसी दूसरे राष्ट्र की सांस्कृतिक महत्व की वस्तुएं अपने यहां ले जाता है, तो युद्ध के बाद वह उन वस्तुओं को उस राष्ट्र को वापस कर दे, जोकि बास्तव में उन का मालिक है। शायद यू० के० का यह स्थान हो कि वह लाइबरेरी उम्म ने किसी युद्ध में नहीं ली, बल्कि हिन्दु-स्तान पर कब्जा करने के बाद शान्तिकाल में ली, इसलिये उस लाइबरेरी को वापस नहीं किया जा सकता है। यह उस की जबर्दस्ती

है। लेकिन जो कुछ भी हो, इस प्रस्ताव का समर्थन करते हुए हम यू० एन० औ० और बड़े बड़े राष्ट्रों से यह घरीब करेंगे कि अगर वे बाकी वह चाहते हैं कि सांस्कृतिक वीजों और स्थानों की रक्षा होनी चाहिये, तो यह बहुरी है कि शस्त्रास्त्रों पर रोक लगाई जाय। तभी प्राणी-मात्र की रक्षा होगी और सम्यता की रक्षा होगी। आइनस्टन ने कहा है कि तीसरी बल्ड वार कैसे होगी, यह तो मे नहीं कह सकता, लेकिन चौथी बल्ड वार तीर और धनुष से होगी, क्योंकि तीसरी बल्ड वार में सब कुछ नष्ट हो जायगा, सम्यता और संस्कृति और विज्ञान सब कुछ मिट जायगा। इसलिये जब शस्त्रास्त्रों का निर्माण बन्द कर दिया जायगा, तभी इस प्रस्ताव का प्रयोगन सिद्ध हो सकेगा, अन्यथा नहीं।

**श्री रघुनाथ सिंह (वाराणसी) :** उपाध्यक्ष महोदय, यह जो संकल्प आज यहां पर उत्स्थित किया गया है इस का मे हादिक समर्थन करता हूँ। इस संसार मे बहुत वज्रों से युद्ध की विभीषिका के कारण तथा युद्ध छिड़ने के कारण सम्यताओं का नाश होता आया है। आज फोनेशियन सम्यता का अस्तित्व ही खत्म हो गया है। सिपिओं ने जब अपनी रोमन सेना के साथ कारब्यैच पर हमला किया तो उस ने वहा की सेना को ही नहीं हराया बल्कि सारे कारब्यैच के उस ने फूक दिया और उस के साथ ही साथ जो फोनेशियन सम्यता थी उस का भी नाश हो गया। दूसरी मिसाल हमारे सामने एलेगेंडरिया की है। उस का पुस्तकालय इजिप्ट मे सब मे बड़ा पुस्तकालय तथा सारे विश्व का इतिहास उस में था। लेकिन जब अरब लोगों ने एलेगेंडरिया पर आत्मरामण किया तो सारे के सारे पुस्तकालय को फूक दिया गया। आज कुछ भी पता नहीं कि इजिप्ट की क्या सम्यता थी तब उन सभी पवर्ती देशों की क्या सम्यता थी।

## [श्री रमेश सिंह]

इस के पश्चात जब हम भारत की ओर नज़र दौड़ाते हैं तो हमें पता चलता है कि पाली भाषा में बौद्ध साहित्य का एक भी प्रन्थ भारत में उपलब्ध नहीं है। जितने भी बौद्ध प्रन्थ हमें दिल्लीर्हाई देते हैं उन सब का पाली ट्रांसलेशन ही हमारे सामने आया है। चाहे वह सीलोन में आया हो, चाहे तिब्बत से और चाहे बर्मा से। बौद्ध धर्म ने भारत में जन्म लिया। यहीं उस का विकास कुछ और यहाँ से वह दुसरे देशों में फैला। लेकिन उस के जो मूल प्रन्थ है उन का हिन्दू-स्तान से लोप हो गया है।

हम में प्रसहित्युता की भावना पैदा हो गई है। इस का अन्त होना चाहिये। आज तीन हजार वर्षों के बाद इस प्रकार का एक सुन्दर प्रस्ताव हमारे सामने आया है। हम ही नहीं बल्कि सारा विश्व इस प्रस्ताव का समर्थन करेगा। आप को मालूम होगा कि द्राय पर जब योक लोगों ने हमला किया तो द्राय की सेना को ही नहीं हराया बल्कि सारे द्राय को फ़ूँक दिया। आज हमें यह भी पता नहीं है कि द्राय कहा था। हम देखते हैं कि जब जब युद्ध हुए हैं, जब जब किसी देश ने दुसरे देश पर प्राक्रमण किया है, तो न केवल वहाँ की सेनाओं को ही हराया है और उन का नाश किया है बल्कि वहाँ की सम्पत्ति का भी नाश किया है। वहाँ के साहित्य का भी नाश किया है। आज यदि हमारे पास अजन्ता और अलोरा न होते तथा भूमि में पुरातत्व गड़न होते तो आज हमारी सम्पत्ति का भी कुछ पता न होता। उस का नाम निशान न मिलता। मैं काशी का रहने वाला हूँ। प्रगर आप सारनाथ में आवें तो आप देखेंगे कि जितने वहाँ के मन्दिर थे तथा जितनी भी पुरानी जीज़ें थीं वे सब की सब व्यंस कर दो गई हैं। मैं समझता हूँ कि यह कहना मेरे निये ठीक होगा कि उत्तर भारत में दो सौ वर्ष से पहले

के कोई भी मन्दिर आप नहीं पथेंगे। आप को नादेन इंडिया में दो सौ वर्षों से अधिक पुराना मन्दिर नहीं मिल सकता है। आज जो हमारी सम्पत्ता है, जो भारतीय सम्पत्ता है, उस को दक्षिण भारत के मन्दिरों में ही खोजना पड़ता है। हमारी बास्तु कला क्या थी? प्राची भाषा क्या थी? हमारी सम्पत्ता क्या थी? हमारी मस्कृति क्या थी? इन सब का युद्ध होने के कारण बिनाश होता आया है और इस प्रकार को प्रदृष्टियों को हमे रोकना चाहिये। इस का कारण यह है कि देश किर बन सकते हैं। जातियाँ फिर बन सकती हैं। लेकिन जो सम्पत्ता एक बार लोप हो जाती है वह सम्पत्ता फिर नहीं आ सकती है।

इस के अन्दर दो क्लास रखे गये हैं। एक तो ट्रांसपोर्ट के बास्ते है और दुसरा परसनल के बास्ते है। यह कहा गया है कि युद्ध कान में ऐसी बस्तुओं का ट्रांस्पोर्टेशन हो जाना चाहिये, एक देश से दुसरे देश में और उन को सुरक्षित स्थानों पर भेज दिया जाय। साथ हो साथ यह भी कहा गया है कि जो लोग इम बाम को करे उन को भी रक्षा की जाना चाहिये। उन का रक्षा का भी प्रबन्ध किया जाना चाहिये। इस प्रकार से जो नियम बनाये गये हैं वे करोब करोब रेड काम देने के नियमों के आधार पर हा बनाये गये हैं। ये नियम रेडकाम के नियमों के समानान्तर हैं। इन नियमों को मैं ने देखा है। मैं इन का स्वागत करता हूँ। इन का हृदय से समर्थन करता हूँ। लेकिन मुझे आश्चर्य है कि भयुक्त राष्ट्र संघ के विधायक-गण हैं, जिन्होंने भयुक्त राष्ट्र संघ की स्थापना की है और जो भयुक्त राष्ट्र संघ के मिद्दानों में विश्वास रखने का बहुत बड़ा दावा करते हैं उन में से दो महान राष्ट्र जिन को बीटो का अधिकार भी प्राप्त है यानी यू० एस० ए० तथा यू० के० वे इस में क्यों नहीं

आज तक सम्मिलित हुए हैं ? यह मेरो समझ में नहीं आया है। यह बहुत ही आश्चर्य का बात है। लेकिन जहां तक भारत का सम्बन्ध है वह तो एक पोस्टफ्लू नेशन है। वह संसार में शान्ति चाहता है। इस दृष्टि से मैं इस का समर्थन करता हूँ और आशा करता हूँ कि जो राष्ट्र अभी तक इस में शामिल नहीं हुए हैं वे भी इस में शामिल हो जायेंगे। इस का सम्बन्ध किसी देश विशेष से नहीं है। किसी जाति विशेष से नहीं है। इस का सम्बन्ध तो सारों मानवता से है। मनुष्य से है। सम्यता से है। मस्तुति से है। इन सब का रक्खा करना मनुष्य का कर्तव्य है। मानव का कर्तव्य है। मैं श्रीमानों माहबुवाओं वन्यवाद देता हूँ कि उन्होंने इस प्रस्ताव को यहां पर उपस्थित किया है। मैं इसमें राष्ट्रों से प्रारंभना करता हूँ कि वे भी इस में शामिल हों। रेडकाप का जैसा इंतजाम है, उसी प्रकार का इंतजाम इस वें सम्बन्ध में भी होना चाहिये।

**Shrimati Ila Paichoudhuri (Nabadvip):** Mr. Deputy-Speaker, Sir, this is a resolution that all civilised nations must support and I am sure that India, and we in this Parliament, support it whole-heartedly. This resolution has really no meaning unless we can do away with nuclear warfare. For that also, we passed an unanimous resolution in the last session of this Parliament brought forward by our hon. Defence Minister that we want that nuclear warfare should be stopped.

This convention was passed on the 14th May, 1954 and I am very sorry to note that we are taking three years to ratify this, because this is, after all, a matter which is really very near our hearts. We know that whenever there is war, vandalism of civilisation takes place and a civilisation which is now known so much becomes dead to the future generation that is coming, because they will never know what existed.

As the previous speaker pointed out, there are several examples of this in India. I do not want to multiply them. We know what happened to the Nalanda University; so much was burnt out that we do not know what existed there. So, naturally, what we have at the moment, we must protect it by whatever means we have at our command.

Dr. Shrimali has said that we will have emblems like the Red Cross emblem and so on. That will apply when there is conventional warfare. But if there is nuclear warfare, how can the emblems be recognised from the air, particularly when there is this clause which must be satisfied that cultural edifices are to be situated sufficiently far from strategic positions? That is a clause which is very damaging. If there is any way by which we can suggest that this clause could be remodelled, we must try our best to do that, because there are so many things which are not far enough from strategic positions and we stand to lose all of them. This clause must be brought to the notice of such countries as may ratify this convention. Perhaps if we put our whole effort into this, this clause can be remedied and I think we must make up our mind to influence world opinion with the utmost force at our command.

I would like to suggest one other thing. I thank that some ways have been found out with modern scientific research by which there is a way of protecting books, papers and manuscripts even from nuclear weapons. Perhaps we may make more research about it and keep them in readiness, because, as the world stands today, we do not know whether we can really sway the world not to get into this nuclear warfare. So, let us have these measures at hand, which modern science has devised to protect particularly manuscripts and books. Even though we may not be able to protect statutes, architecture, etc. There are ways of protecting manuscripts and

## [Shrimati Ila Palchaudhuri]

books even from nuclear warfare; to a certain extent, that is possible now-a-days. That research has to be followed up with the utmost acceleration. Our manuscripts and books and wonderful libraries are the first things that we must seek to protect and we must find in our scientific research various ways by which we can do this. This must be one of the things for which we have to give priority so that even if there should be, heaven forbid, nuclear war, at least the very important manuscripts and books could be given the best and most scientific sort of protection. With these words I heartily and warmly support this Resolution and I hope that world opinion will be in conformity with India to prevent warfare and there will be no need of such resolutions in the future.

**श्री श्रीनारायण बास (दरभंगा) :** उपाध्यक्ष महोदय, यह बड़े हर्ष का समय है कि इस सदन को सशस्त्र संघर्ष की अवस्था में सांस्कृतिक सम्पत्ति की रक्खा के लिए एक ऐसे अन्तर्राष्ट्रीय कंवेशन का समर्थन करने का अवसर मिला है जो मानवता के लिए, जो कि कभी कभी संघर्ष के अन्धकार में अच्छादित मालूम होती है, एक ऊरीति सा मालूम होता है। जब हम आज के समाज और मानव मनोविज्ञान का विस्तैषण करते हैं तो यह पाते हैं कि 'जहां एक तरफ समाज बहुत ऊचे ऊचे खगलात का हाम' है और ऊची से ऊची बात का मानने वाला है, वहां यह भी पाते हैं कि उसी समाज का एक अंग नीचे से नीचे लगाल का भी मानने वाला है। जहां हम 'वसुधेव कुट्टबकम' की बात करते हैं वहां हमें अस्पृश्यता के भी दर्शन मिलते हैं। जहां हम दुनिया में दोस्ती और मैत्रीमात्र स्थापित करना चाहते हैं वहां आज संसार में कई जगहों पर रंगभेद के मामले भी देखने में आते हैं। सशस्त्र संघर्ष की बँदरता और उसमें पड़े राष्ट्र की

सांस्कृतिक सम्पत्ति की सुरक्षा यह भी इसी प्रकार की हो विरोधी भावनाओं हैं। यह इस प्रकार का पहला ही कंवेशन नहीं है। इस प्रकार के कई अन्तर्राष्ट्रीय कंवेशन निर्मित हो चुके हैं और समय समय पर हम लोगों ने भी उन का समर्थन किया है। दूसरे देश वाले भी इस तरह के कंवेशन्स का समर्थन करते हैं।

जब हम इस कंवेशन पर विचार करते हैं तो हमारा ध्यान जाता है कि माज सशस्त्र संघर्ष की अवस्था मंसर में बगो पैदा हुई है। अगर उस के पैदा करने वाले ऐसे लोग होते जिन को कि हम बर्बाद कहते हैं, या जिन को हम कहते हैं, कि वह जंगली हैं तब हमें उन्ना आश्चर्य न होता। लेकिन समय समय पर संसार में ऐसी परिस्थिति पैदा होती है जिस में हम देखते हैं कि बड़े से बड़े राष्ट्र ऐसी बातें करते हैं, ऐसा बातावरण पैदा करते हैं कि मालूम होता है कि सम्यता की सारी निशानी ही स्तर हो जाएगी। मैं इस बारे में ज्यादा बहुत नहीं लूंगा, सिर्फ इतना कहना चाहूंगा कि जहां हम एक तरफ शांति शांति का दम भरते हैं, संकृत राष्ट्र संघ में या दूसरी संस्थाओं में, वहा उन्हीं देशों के लोग, उन्हीं देशों के बड़े बड़े राजनीतिक मुठह से शाम तक इस बात को सोचने में लगे रहते हैं कि कैसे वह देश में ऐसे ऐसे अस्त्र शस्त्र, ऐसे ऐसे राकेट तैयार करे कि घर बैठे दूसरे देश पर उन्हे फेंक कर सर्वनाश करे। आज यह विभिन्नता संवृत्त देखने में आती है, यह विविच्छाभास देखने में आता है कि एक ही मुह से 'शांति शांति' 'युद्ध युद्ध' जिस मुह से वह शांति शांति की बात करते हैं, उसी मुह से युद्ध युद्ध की बात भी करते हैं। ऐसे समय में इस तरह के कंवेशन से कहां तक मानव समाज का कल्याण होने वाला है, इस बात की कभी कभी आशंका होने लगती है। फिर भी जो उदात्त भाव इस संकल्प

में हैं, उन का एक भी इस सदन का सदस्य विरोध के से कर सकता है? हर एक व्यक्ति इन का हादिक समर्थन ही करता है और मैं समझता हूँ कि दूसरे देश भी इन का हादिक समर्थन करते हैं।

जो हमारा संयुक्त राष्ट्र संघ है उस के अन्दर विभिन्न सांस्कृतिक और आर्थिक मूल्यों का काम कर रही है, सासकर जो संयुक्त राष्ट्र शिक्षा, विज्ञान और सांस्कृतिक संस्था है, जिस के तत्वाधान में इस कवेशन का निर्माण हुआ है। उस के काम ऐसे हो रहे हैं जिन से जो संघर्षमय स्थिति इस संसार में है उस के सुधार में बड़ी सहायता मिलती है। एक तरफ राजनीतिज्ञ लोग संघर्ष पैदा किया करते हैं, दूसरी तरफ से संयुक्त राष्ट्र की जो यह संस्था है वह पारस्परिक सहमति के जरिए, सांस्कृतिक क्षेत्र में हो चाहे वैज्ञानिक क्षेत्र में, अथवा शिक्षा के क्षेत्र में, हर देश के लोगों को एक मन पर ला कर आपस में सौहार्द, प्रेम भाव और शांति की भावना बढ़ाती है। यह एक अभिन्नदनीय उद्देश्य है और इसी संस्था के तत्वाधान में १० मई, १९५४ में जिस कवेशन का समर्थन हुआ, और जिस को भारत के प्रतिनिधित्व ने हस्ताक्षर कर के भजर किया, आज इस सदन द्वारा उस का अनुमोदन और समर्थन होना जरूरी है।

मेरा स्थान है कि जिस तरह से रेड कास की संस्था है जो पूढ़ के बीच में भी पीड़ित जनता की सहायता करती है उसी तरह से यह संस्था काम करेगी। जो हमारी सांस्कृतिक गम्भीरता है, जो हमारी सांस्कृतिक और कला की वस्तुएं हैं, वे चाहे किसी भी देश की बोग न हो, किन्तु वे एक देश तक ही समिति नहीं हैं। सांस्कृतिक सम्पत्ति किसी व्यक्ति विशेष की नहीं होती वह एक राष्ट्र की ही नहीं सम्पूर्ण मानव समाज की होती है। ऐसे सामानों की रक्षा के लिए जो यह कवेशन है उसका मैं हृदय से समर्थन करता हूँ। और उम्मीद करता हूँ

कि देश के जिन लोगों ने शब्द तक इस का समर्थन नहीं किया है वे जल्दी ही उसका समर्थन करेंगे और चाहे कुछ हो जाए, इस संघर्षपूर्ण समय में किसी भी ऐसी अन्तर्राष्ट्रीय संस्था को हर प्रकार का सहयोग मिलेगा। भगवान न करे, ऐसे संघर्ष की स्थिति कभी हो, लेकिन अगर कभी ऐसा समय आए भी तो भी इन कवेशनों का स्थान कर के हम बर्बरता और असम्पत्ति का रूप धारण न करें। इस अन्धकारमय परिस्थिति में गांधीजीका सम्पत्ति की रक्षा करने और मानवता से नीचे न गिरने का जो संकल्प है, वह सदा हमारे सामने रहेगा और यह हमारे देश और संसार के लिए कल्याणकारी होगा, ऐसी मेरी आशा है।

इन शब्दों के साथ जो संकल्प सदन के सामने रखा गया है, मैं उस का समर्थन करता हूँ।

**पंडित ज्वाला प्र० ज्योतिशी (सागर) :** उपाध्यक्ष महोदय, मैं आप का बहुत बहुत आभारी हूँ कि आप ने प्रथम बार इस सदन में मुझे इस महत्वपूर्ण विषय पर अपने विचार व्यक्त करने का मौका दिया है।

आज सर्व और युद्ध के विस्फोट पर लड़ी इस दुनिया के बीच कोई आवाज, शांति की आवाज को उठाने वाला जो यह कवेशन सदन में आया मैं इस का हृदय से समर्थन करता हूँ।

आज दुनिया के आदमी लडते भगड़ते रहे। उन में एक दूसरे का खुन पीने की भावना रहे, यह हो सकता है। लेकिन मनुष्य की जो वास्तविक मनुष्यता है वह उसके अन्तर्राष्ट्रीय गम्भीरता है जो उसे दूसरी तरफ खीचने की कोशिश करती है। हम आर्थिक दृष्टि से, राष्ट्रीय दृष्टि से, भौगोलिक दृष्टि से अलग अलग बसे हुए हैं। यह जीज हम में जातिवाद और अलगाव पैदा करती है लेकिन उन के परे कुछ तत्व हैं जो हम सब को एक करते हैं। समग्र मानवता

## [पंडित ज्वा० प्र० ज्योतिषी]

को एक करते हैं। हमारी सांस्कृतिक चीजों जो हैं, हमारे कला के मनुष्यान् जो हैं, हमारे चित्र और चित्रकला की जो निर्मित की हुई वस्तुएं हैं, उनमें मानवजाति को एकता के सूत्र में प्रविष्ट करने वाले तत्व निहित हैं। उन तत्वों की तरफ जब हम देखते हैं, तभी हमको पुढ़ को विभीषिका के मध्य एक आश्वासन मिलता है, एक भरोसा मिलता है कि इस सारे संघर्ष के बावजूद भी, ऐटम बमों के बावजूद भी, दिन-प्रतिदिन यांदिक उपादानों की दिशा में ने बल्ले बाली रेल-पेल के बावजूद भी, एक दिन आएगा जब कि हम इस संघर्ष से बाहर हो कर मानवता की बात कर सकेंगे और 'एक विश्व' जैसी वस्तु को स्थापित कर सकेंगे और संसार से दुर्दों को खत्म कर सकेंगे। यह जो कवेशन के रेटिफिकेशन का प्रस्ताव आया है, यह हमारे लिए एक आश्वासन है। इस के लिए भत प्राप्त करने में हम ऐसी स्थिति के लिए प्रयत्नशील हैं जिस में कि हम पारिस्थिरिक संघर्षों को खत्म कर दें। उपाध्यक्ष महोदय, देश के अन्दर जो संस्कृति और कला में स्थान हैं उन्हें ने इस देश के ममाज को खिले वर्षों में जीवित रखा है। इसरों देशों में भी जो ऐसे ऐसे कलात्मक म्यान हैं उन्होंने ने उन देशों का ताकत दी है। इस लिए उनको मुर्तित रखना निहायत ज़रूरी है। हम इस चीज को मानते हैं कि जहाँ भी लाइब्रेरिया जलायी गयी, जहाँ भी सांस्कृतिक वस्तुओं का विनाश किया गया वहाँ मानवता के साथ जघन्यतम अन्याय हुआ। एक दो मनुष्यों का या हजार या दस हजार मनुष्यों का खत्म हो जाना बुरी बात है, वह नहीं होनी चाहिए। लेकिन मनुष्य की आत्मा उसके साहित्य में निहित है। मनुष्य की आत्मा उन चित्रों में निहित है जिन चित्रों में हजारों वर्षों के मनुष्य सफने और मनुष्य की सुन्दर सुरुचिर कल्पनायें

विनिःत हैं। प्राचीन काल में लोगों ने चिन्नतन किया था और जिन सांस्कृतिक तत्वों को उन्होंने प्राप्त किया था उन्हें साम के गीतों में और ऋग्वेद में भंत्रों के रूप में याद रखा था ताकि प्राप्त वाली दुनिया उनको भूल न जाये। जो संस्कृति उन्होंने समाज को प्रदान की थी वह संसार से तिरोहित न हो जाये। इसलिये ऐसी चीजों को सुरक्षित रखना बहुत ज़रूरी है।

मंयुक्त राष्ट्र संघ में इस तरह की बात आयी। समझदार देशों ने युद्ध की विभीषिका में भी इस तरफ ध्यान दिया यह बड़ी कल्याण-कर बात है। हमारे इस सदन की माननीय सदस्य श्रीमती इला पालचौधरी ने कहा कि हमारी इस सरकार ने तीन वर्ष क्यों लगाये? मैं यकीन करता हूँ कि हमारी सरकार सांस्कृतिक वस्तुओं को रक्षा करना चाहती है, बल्कि वह तो युद्ध तक को खत्म करना चाहती है।

15-12 hrs.

[MR. SPEAKER in the Chair]

जो राष्ट्र युद्ध को ही खत्म करने के पक्ष में हों, जो मनुष्य को खत्म न करना चाहता हो, वह मनुष्य की कला को कैसे खत्म कर मकना है। जो यह प्रस्ताव है इस का मैं हृदय में अनुमोदन करता हूँ और मेरा विश्वास है कि यह चीज इस दुनिया को शान्ति, प्रेम और एकता को तरफ बढ़ाने में सहायक होगी।

पाकिस्तान हमारे नजदीक है। वह हम पर तिनमिलाना रहता है। हमको उसके बरताव में आशंका है कि कभी युद्ध भी हो सकता है। दिल्ली के सभीप जो सांस्कृतिक स्थल हैं, उनको पाकिस्तान बालों के दुर्जारों ने और हमारे दुर्जारों ने मिलकर बनाया है। मेरा तो विश्वास है कि पाकिस्तान के लोगों के मन में भी यह कल्पना

होगी कि हिन्दुस्तान में जो प्रागरे का ताज़-महल है, या जों दिल्ली की कुतुब मीनार है उनके और हमारे बज़ुगों ने मिलकर बनाया है। हम यह एक हैं। इस तरह का भाव उनके मन में भी, मैं समझता हूँ कि आपाना होंगा और हम तरह में यह से उनको विरत करने की भावना उनके मन में जगाता होगा।

एक बार फिर मैं इसका समर्थन करता हूँ।

**Shri C. R. Pattabhi Ramam (Kumbakonam):** Mr. Speaker, Sir, we are here to ratify the Hague Convention of 1954 for the protection of cultural property which has been signed by the representatives of the Government of India and it behoves us as the representatives of the people today to ratify this. While doing so, may I with your leave, refer to some aspects of this Convention which I submit deserve mention.

There are Conventions of the years 1899 and 1907 both of which envisage the protection of national and international cultural arts and monuments. Then we have the Washington Convention of the year 1935 and the present Convention of 1954 is the culmination of these previous international agreements for the protection of cultural property.

I find, Sir, that all these treaties—I say this as a humble student of international law—are limping all the time. International morality is always supposed to be different from private morality. Until we are able to equate them and bring one close to the other, there is not going to be lasting peace anywhere in the world. What was regarded wrong in private law was until the other day considered a meritorious act in international law. Therefore, we have a vicious and pernicious clause which is referred to as *si sic stantibus* clause in Latin which means that a treaty is in force so long as existing things continue, which really means nothing: in

other words, if you permit me to say so, nonsense. Any contracting party was the supreme judge as to whether existing things continued or not.

I shall give the House one or two examples of *si sic stantibus* principle which is seen in these conventions. Article 4, sub-clause 2, of this Convention says:

"The obligations mentioned in paragraph 1 of the present Article may be waived only in cases where military necessity imperatively requires such a waiver."

We have only to read it to see how many back-doors have been left open to the contracting parties to wriggle out of the Convention. If military necessity imperatively requires a waiver there can be a waiver unilaterally by a party. But then we must make the best of a bad bargain.

The high contracting parties today have not yet realised the folly of war of destruction, and till they realise it we have to make the best of a bad bargain. Then I am troubled about one aspect of the definition which I am sure our representatives in international bodies will bring to the notice of the proper authorities.

After all this Convention is a result of a meeting of the UNESCO in 1954 at the Hague. We have to go much further than that. We want the United Nations to act as a whole. I find that in article 1, clause (a) the reference is to monuments of architecture, art or history, whether religious or secular. It may be quite open to some of the high contracting parties to say that a place of worship is not a monument. Most of the temples, fortunately some of them, have been untouched by marauders are in the Southern part of India. For instance the famous Buddhist centre of art, Sanchi a place of worship today may just be knocked out of the definition on the plea that it is technically not a monument. I hope this will be borne in mind by our representatives

[Shri C. R. Pattabhi Raman] in future parleys affecting the culture monuments and objects of art.

I also find that emblems have been provided for in article 18, clause 1 of which says:

"The distinctive emblem of the Convention shall take the form of a shield, pointed below, per saltire blue and white (a shield consisting of a royal-blue square, one of the angles of which forms the point of the shield, etc., etc.)

It is similar to the red cross that is put on ambulance vehicles which take the wounded people from the front. In the same way a red cross put on hospital buildings protects that place from bombers. These emblems must be flashed on top of these cultural buildings. If buildings with this emblem contain movable cultural property then they enjoy some sort of immunity. But I find that if any of the cultural sites are near—as my hon. friend Prof. Mukerjee has pointed out—a railway station or a lighthouse or a broadcasting station, they will not have any immunity. It looks as though our Government must now take good care to remove all these lighthouses or railway stations or broadcasting stations from anywhere near the old temples, or wherever these cultural objects are if they are to be preserved, because the moment the other party feels these are near an industrial area or a light house or railway station, he can bomb it. This is dangerous so far as the objects of art are concerned. That is another danger which will more or less nullify this convention, because, one party will have only to say that it is near a military target and there will be an end of it.

But, all this loses a good bit of meaning in view of the intercontinental ballistic missiles that we are facing today. I do not know whether human ingenuity is going to control these ballistic missiles so perfectly, and how far all this will go in this age of atomic warfare. Any

way, I am glad that the more horrible and the more devastating these new weapons are, the better are the chances for peace. They would, I sincerely hope, shake the people into the reality and make them realise the futility of war and how destructive future wars are going to be. It is only in that way, I think, that war will be outlawed. On whatever else there is unanimity or not, I have no doubt, with regard to the outlawry of war, there is unanimity in this House. Preservation of cultural objects even with these inter-confidential ballistic missiles is a good thing. That does not matter. We have got to make a start and I am glad we are making a start.

The days have gone when people like Napoleon were praised. They were looting objects of art and bringing them to their capitals. Mussolini and Goering and others like them have become objects of hatred. They looted other countries and brought their objects of art, without the consent of the people, to their countries. That will not be done now. We, in India, have suffered a lot from marauders. People were fanatic, it does not matter to what religion they belonged. You have Martand in Kashmir. Go to Hyderabad. In Hampi, the sight will make you cry, beautiful idols with noses broken; temple stones used for mosques; British soldiers ruining forts in Delhi. It is not confined to one community or religion. The fact is that a lot of damage and depredation had been done to valuable cultural property and monuments. It is high time attempts are made to protect them.

There is also a Register. I find you can register these monuments and cultural objects of art in the International Register. There, again, the difficulty is this. These atomic powers—so far as I know, there are three now: the U.S.A., the U.S.S.R. and the U.K.; and we may have one or two more coming later on, on the stage—I do not think, they have all

joined in this. It is a shame that they are not coming into it as openly as they are expected to do. Unless they come into it, with atomic war possible on or going to be on, which, God forbid, all this loses meaning. I am very glad that nations with some idealism behind them, small nations they may be, that does not matter, have given a start and a good number of them have signed this Convention. I sincerely hope that attempts will be made to preserve all objects of art.

It is as important to preserve them in peace time as in war time. With great respect, I agree with my hon. friend Shri H. N. Mukerjee. A great deal of damage is being done to them in peace time, while repairing them I find some repair work done to some monuments makes them look ghastly. New cement in an ancient monument, if it is visible, will be a real tragedy. Nagarjunakonda has been referred to. You have Kanchi. There are 108 temples there. There is the famous Kailasanatha temple in Shiva Kanchi. The rock is very old. It is there from the Buddhist times. The stones are very old and crumbling. That has got to be protected. As I said in the beginning, you will have to take care, with this Convention on, not to have any radio station or a railway station or worst of all, an industrial centre there. I hope there will be some co-ordination between the Education Ministry and the other Ministries, because, the moment one of the contracting parties is able to say, that here is a strategic point, a lighthouse or an industrial area, they can bomb that area using the escape clause to which I have referred.

I sincerely hope that all this will be borne in mind.

**Dr. K. L. Shrimall:** Sir, I am very grateful to hon. Members for the unanimous support which they have given to this Resolution. In ratifying this Convention, we have again asserted the cultural, spiritual and moral values for which our country

stands. Human society has to decide whether it stands for war or peace, for culture or barbarism, for love or hatred. As far as this country is concerned, we have made our choice. We stand for peace, for culture and for moral and spiritual values. I am therefore, grateful to the Members for the support which they have given to this Resolution.

There are one or two points which have been raised. It was suggested by Shri H. N. Mukerjee that we have been indifferent to our own cultural heritage. I would like to inform him that we are still negotiating as far as the India Office Library is concerned. We shall continue to negotiate. We have a claim on that Library.

With regard to Nagarjunakonda also, it was a painful decision which the Government had to take. But, we took that decision not because we were indifferent to cultural heritage, but because of other things required us to take that decision. As I said, it was a painful decision which the Government had to take.

This document.....

**Shri Ranga:** On a point of information, may we have an assurance that what all can be got out of the excavations at Nagarjunakonda would either be placed on that hill or such of them as cannot be accommodated there, will be shifted to Amravati or other museum instead of leaving them to be drowned in the water?

**Dr. K. L. Shrimall:** Government are making efforts to protect everything that can possibly be protected.

With regard to this document, I do not think it is a perfect document. There are provisions under which this Convention could be revised, provided the contracting party agreed. I hope the suggestions which have been made by hon. Members will be taken into consideration at the appropriate time.

I would like to thank the Members again for the support which they have given to this Resolution.

**Mr. Speaker:** The question is:

"This House approves the Convention for the protection of cultural property in the event of armed conflict, as passed at the Hague on the 14th May, 1954 and signed by the representatives of the Government of India and of the Governments of certain other countries, and is of the opinion that the said convention should be ratified by the Government of India."

The Resolution was adopted.

**REPRESENTATION OF THE PEOPLE (CONDUCT OF ELECTIONS AND ELECTION PETITIONS) RULES, 1956—contd.**

**Mr. Speaker:** We shall now take up the item re. Elections rules that had been held over I put Motion No. 2 by Shrimati Renu Chakravarty. This relates to the modification of the rules relating to the election, of change over from the present system to the marking system, if and when and where the Election Commission chooses to introduce that system

**Division No. 39]**

Banerjee, Shri S. M.  
Braj Raj Singh, Shri  
Chakravarty, Shrimati Renu  
Dasgupta, Shri  
Digvijay Singh  
Elias, Shri M.  
Gaikwad, Shri B. K.  
Ghosh, Shri  
Ghose, Shri S.  
Godtors, Shri S. C.  
Gounder, Shri Shanmuga  
Gupta, Shri Sudham  
Imam, Shri Mohamed  
Iyer, Shri Easwara

Katti, Shri D. A.  
Kodiyani, Shri  
Kumaran, Shri  
Kumbhar, Shri  
Kunhan, Shri  
Mahin, Shri R. C.  
Manay, Shri  
Menon, Shri Narayananarkutty  
Mukerjee, Shri H. N.  
Nair, Shri Vasudevan  
Nayer, Shri V. P.  
Pandey, Shri Sarju  
Parvathi Krishnan, Shrimati  
Patil, Shri Nana

**AYES**

Paul, Shri U. L.  
Prudhan, Shri B. C.  
Ramam, Shri  
Rao, Shri D. V.  
Reddy, Shri Nari  
Sharma, Shri H. C.  
Siva Raj, Shri  
Sugandhi, Shri  
Tangamani, Shri  
Thakore, Shri M. B.  
Warior, Shri  
Yadav, Shri

[15.25 hrs.]

**NOES**

Achar, Shri  
Arumugham, Shri R. S.  
Arumugham, Shri S. R.  
Bakliwal, Shri  
Banerjee, Shri Pramathanath  
ganguli Thakur, Shri  
Barman, Shri  
Berupal, Shri P. L.  
Basappa, Shri  
Basumatari, Shri  
Bogil Bhai, Shri

Bidam, Shri  
Boroosh, Shri P. C.  
Bose, Shri P. C.  
Hrahm Perkash, Ch.  
Chandra Shanker, Shri  
Chandramani Kalo, Shri  
Chaturvedi, Shri  
Chum Lal, Shri  
Dassappa, Shri  
Das, Shri K. K.  
Das, Shri N. T.

Das, Shri Shree Narayan  
Daljit Singh  
Deb, Shri N. M.  
Deo, Shri Shanker  
Dessi, Shri Morari  
Dinesh Singh, Shri  
Dube, Shri Mulchand  
Bacharan, Shri I.  
Elayaperumal, Shri  
Ganapathy, Shri  
Gandhi, Shri Feroze

The question is:

"This House resolves that in pursuance of sub-section (3) of section 169 of the Representation of the People Act, 1951, the following provisos be added to sub-rule (1) of new rule 41A of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956 as further amended by the Notification No. S.R.O. 1993 A dated the 18th June, 1957, laid on the Table on the 17th July, 1957, namely:—

'Provided that such polling stations are not situated in rural areas

Provided further that before notifying the polling station the opinion of the recognised parties is taken and a majority of them agree to the notification.'

This House recommends to Rajya Sabha that Rajya Sabha do concur in the said resolution"

*Lok Sabha divided. Ayes 40, Noes 147.*

Gandhi, Shri M. M.	Munisamy, Shri N. R.	Reddy, Shri Ram
Ganga Devi, Shrimati	Mullick, Shri B. C.	Rungsung Suise, Shri
Ganapati Ram, Shri	Murmu, Shri Palak	Rup Narain, Shri
Ghosh, Shri M. K.	Mathukrishnan, Shri	Sahodraba, Shrimati
Gorsay, Shri	Nair, Shri C. K.	Sahu, Shri Rameshwar
Gounder, Shri . P.	Naldurgker, Shri	Samanta, Shri S. C.
Hasda, Shri Subodh	Nanappa, Shri	Samant Sinha, Dr.
Tukam Singh, Sardar	Narsindin, Shri	Satyabhama Devi, Shrimati
Jagjiva Ram, Sari	Naraumuan, Shri	Satyana Narayan, Shri
Jangde, Sari	Naryansamy, Shri R.	Selku, Shri
Jena, Shri K. J.	Nehru, Shri Jawaharlal	Sen, Shri A. K.
Jinachandran, Shri	Nehru, Shrimati Uma	Sen, Shri P. G.
Jogendra Singh, Sardar	Onkar Lal, Shri	Sharma, Shri R. C.
Jyotishi, Pandit J. P.	Oza, Shri	Siddananappa, Shri
Kanakasabu, Shri	Padam Dev, Shri	Siddish, Shri
Kanungo, Shri	Pahadia, Shri	Singh, Shri Babunath
Karmarker, Shri	Palchoudhuri, Shrimati Ila	Singh, Shri L. Achaw
Kotoki, Shri Liladhar	Parmar, Shri Deep Bandhu	Singh, Shri M. N.
Kayal, Shri P. N.	Parmar, Shri Y.S.	Sinha, Shri Anirudh
Kedaria, Shri C. M	Patel, Shrimati Maniben	Sinha, Shri Satyendra Narayan
Keshava, Shri	Pillai, Shri Thanu	Sinhasan Singh, Shri
Keskar, Dr	Padha Raman, Shri	Snatak, Shri Nardeo
Kirtaiya, Shri	Kaghubir Sahai, Shri	Sonawane, Shri
Krishna Chandra, Shri	Raghunath Singh, Shri	Soren, Shri
Krishna, Shri M. R.	Rao, Shri Khushwaqt	Subbarayan, Dr. P.
Krishnamachari, Shri T. T.	Rajash, Shri	Subramanyam, Shri T.
Kureel, Shri B. N.	Rakhman, Shri	Sunder Lal, Shri
Laskar, Shri N. C.	Raman, Shri Pattabhi	Surya Prasad, Shri
Maiti, Shri N. B.	Ramanand Shastri, Swami	Tantis, Shri
Malliah, Shri U. S.	Ramaswami, Shri S. V.	Tewari, Shri Dwarakanath
Mansen, Shri	Ramaswamy, Shri K. S	Thimmaiah, Shri
Mandal, Dr Pashupati	Ramaswamy, Shri P.	Ihurmalia Rao, Shri
Maniyangadan, Shri	Rampure, Shri M.	Uike, Shri
Mathur, Shri Harish Chandra	Rane, Shri	Upadhyay, Shri Shiva Datt
Mathur, Shri M. D.	Ranga, Shri	Venkataraman, Shri
Menon, Dr. K. H.	Rao, Shri E. M.	Verma, Shri Ramlal
Mishra, Shri Bibhutti	Rao, Shri Jagannatha	Vishwanath Prasad, Shri
Miara, Shri R. D.	Reddy, Shri Narappa	Wadiwa, Shri

The motion was negatived

**Mr. Speaker:** Shri Jhulan Sinha to raise a discussion on the Government decision regarding future of Non-Government (Light) Railways. He is absent. The hon. Member has lost his chance. If he comes again, I am not going to revive this.

#### PLANTATION ENQUIRY COMMISSION REPORT, PART I—TEA

**Shrimati Parvathi Krishnan** (Coimbatore): I beg to move:

"That the decisions of the Government of India on the recommendations of the Plantation Enquiry Commission Report, Part I—Tea, be taken into consideration."

I have moved this motion so that we may have an opportunity of dis-

cussing the reasons for Government's rejection of the main recommendations of the Plantation Enquiry Commission

It is true that they have accepted a few of the recommendations, but those few that have been accepted do not, in my opinion, really deal with the very core of the problem. The real major recommendations, the recommendations that would be helpful in breaking the monopoly that exists in the tea industry, have been turned down by Government, and it is a very serious matter which we should all think over and we must see that something is done about it.

The statement that has been given by the Government, in my opinion, is not particularly enlightening. On

[Shrimati Parvathi Krishnan]

the other hand, the reasons that are given for one or two recommendations being turned down might almost be termed frivolous.

For instance, on page 7 in their chart, one of the reasons given for turning down the recommendation that the Tea Board should assume the function of regulating the sale of tea in Cochin and Calcutta auctions is that the Government have not received any complaints about these auction sales. It is surprising that Government should state that they have not received any complaint. Surely these recommendations are not based on the fact whether or not Government have received complaints. It is almost as if Government is questioning the very validity of the facts and the findings of a major commission that they have set up. We know that this commission followed a certain method of enquiry. They circulated questionnaires which were in keeping with the various sectors of the industry, whether smaller estates or larger estates, whether smaller companies or larger companies. On the basis of the answers received to the questionnaires and on the basis of on-the-spot enquiries, the commission has made these recommendations, and yet Government now propose to sit back and wait for complaints. Obviously those who have placed their views before the commission, who have given the figures that the commission had asked for and who know what the recommendations are, are waiting for Government's action, and it seems rather frivolous that this type of reason should be given for rejecting a very major recommendation.

What are the facts that have been revealed by this commission? They are indeed very revealing because they show what a very firm and deep grip foreign monopoly has in this industry which is very important to the economy of our country. I will point out later on towards the end how it is not only the tea industry that comes under discussion when we talk of the recommendations of the

commission, but other sectors of industry in our country are also affected by the condition of the tea industry itself.

Take these figures that have been gathered and put before the Government by the commission. The structure of the industry itself shows that out of a total capital of Rs. 118 odd crores, 62 per cent. belongs to non-Indian companies and only 35.8 per cent. belongs to Indian companies. And out of this, 13 leading houses in Calcutta control over 75 per cent. of the production in North India, and of these companies seven control 50 per cent. of this 75 per cent. Over and above this, eight agency houses of producers in Calcutta with associate firms produce the major part of the tea that is put up for auction at the Calcutta auctions. In 1954 the amount that they produced, according to their own figures and according to Government figures, is no less than 50 per cent. It is because of this the commission has said that it would be better if the Tea Board or the State Trading Corporation, that is a body independent of the interests that operate within the tea industry, takes over the holding of the Calcutta auctions in order to guarantee that not one, not these few companies should dominate those auctions, but that the auctions should be more open and more free. Retail sales in our country today are controlled by two non-Indian firms which handle 85 per cent. of the retail tea trade. These same firms also control the blending and the distribution 95.6 per cent. of the package tea and 54.4 per cent. of the tea for internal consumption is raised by these two non-Indian firms.

Now these are figures that certainly show that the non-Indian firms, that is, the British capital, dominate not just one section of the industry; it is not only at the producer stage, but also at the blending stage, at the packing stage, at the warehousing stage and at the shipping stage that the same companies operate, and you have this octopus grip of foreign

monopoly over a very important industry of our country.

Now the recommendations of the Plantation Enquiry Commission are not for wholesale nationalisation because their facts and figures perhaps did not lead them to that conclusion. That is why I am not treading on that controversial ground, but certainly these recommendations do put before Government a line which, if followed, will help to break this monopoly at either one stage or another, and if this monopoly is broken, the process by which today British capital in the tea industry is squeezing out the younger Indian capital that is coming into it can be checked, and Indian capital and Indian owners will have an opportunity to compete fairly with the British.

15.33 hrs.

[SHRI BARMAN in the Chair]

That is why the recommendations are—apart from the abolition of the managing agencies—that blending should be taken over by a neutral body, that is, the Central Tea Board, that the auctions should be conducted in Calcutta by the State Trading Corporation or by any neutral body, whomsoever Government may think fit, that packing and retailing should be done by the Tea Board.

Now Government just brush aside this question of retail distribution saying that they do not think it is proper or it is time for the Tea Board to do it. How is it that when the Coffee Board could take up retail sales of coffee, in tea they are so chary of treading on the tender corns of the foreign monopolists who exist in the tea industry? The reason why these recommendations have been made, as I said earlier, is to break this monopoly grip, and as the Commission have said:

"These recommendations are made in order to provide a machinery which would avoid excessive concentration of power in the hands of a particular section to the possible detriment of other sections in the industry."

Now, take exports. Here again, you find that it is the same companies under another name or the same agencies, that operate and dominate. In 1952, Indian firms were forced to do their exports through U.K. banks to the extent of 88.6 per cent., and British firms did 99.1 per cent. of their total exports through U.K.—dominated firms. In 1953-54, non-Indian banks advanced Rs. 33.2 crores to producers and realised as much as Rs. 64 odd crores, whereas Indian banks advanced only Rs. 6 crores and realised only Rs. 11.1 odd crores. In the sphere of banks also, in this industry it is once again the foreign banks dominating; Indian banks do not have the same possibilities as the foreign banks have.

Then I would like to come to the high costs of tea prevailing today. The Commission have gone in a very detailed manner into the various items which go to calculating the cost of tea and have made various suggestions. Here again you find that the main suggestion is directed to the manner in which in calculating the cost of tea, the large amounts that are paid as managers' commissions and the large amounts that are sent out as overseas pension are also added on. This is what sends up the cost of production of tea.

We find that the plantation owners, both in the south and in the north are shouting loud how the cost of production of tea has gone up because labour has got out of hand, Government is unable to handle labour, labour is demanding higher wages and being paid higher wages and so on so forth. But this body, which was set up by Government, a neutral body has come to these conclusions, that today the high costs are due to what is known as general charges, that is, managing agency commission, increase in salaries and allowances, increased employment of extra European assistants and the extraneous payments in the name of technical consultants and additional assistants as also increase

[Shrimati Parvathi Krishnan]

in overseas pensions. It is with this in view that the Commission remark:

"The possibility of any reduction in production costs lies partly in bringing down the administrative costs incurred on non-Indian managerial staff and managerial agencies."

and then they go on to make suggestions that the commission paid to managers should be decreased, there should be an increase in the Indianisation of the managerial personnel and rationalisation of the salary structure of the managerial cadre.

These are, again, very important because here you find that the screen has been lifted by the Plantation Enquiry Commission over the usual excuses that are put forward by the European managements and by the Government who, unfortunately and unhappily day in and day out on the floor of this House, tend to be His Master's Voice and echo the same thing, because perhaps the Ministers who are there in that Ministry seem to be particularly allergic to the needs of labour in whatever sphere of industry they may be in the country today.

Another most important and very serious matter is the question of replanting. Here we find that the planters, the Indian Tea Association and the UPASI—United Planters' Association of South India—have come forward challenging the very figures of the Plantation Enquiry Commission. They now claim that replanting is not such a serious issue as is made out by the Commission in their report. It is very strange that immediately after the report comes out, immediately after the recommendations are out, we find these people gathering together and coming forward with a new set of figures. We have experience of this in the trade union movement; when there was a special industrial tribunal for plantations in the south, one set of figures was given before the tribunal. When the Judge said that these were not correctly assessed they brought forth another set of

of figures was given before the where the figures that were given before the tribunal and the figures that were given in answer to the questionnaire of the Plantation Enquiry Commission do not tally.

So these owners seem to be in a position to play around with figures and dictate whatever they like and question even the figures that they themselves had given to a responsible body set up, I hope, by a responsible Government. It is in connection with this replanting that the Commission have said that the larger proportion of old plants, those plants planted before 1900, are in gardens in non-Indian ownership ranging from 43.4 per cent. in the case of non-Indian rupee companies to 29.4 per cent. in the case of sterling companies. The percentage of tea plants planted before 1900 in the Darjeeling region amounts to 79.16. During the ten years ending 1953 the extent of replanting has been less than 1 per cent. per year. In spite of the need for a programme of replanting for the very existence of the industry in the long run, we have observed that the progress has been very tardy.'

What really are the facts, as the figures reveal them? Out of 5,12,000 acres owned by the British plantations, bushes in over 2,28,000 acres have been planted before 1900. According to the generally accepted calculation—of course recently the planters are busy with their acrobatics and their somersaults—the average life of a tea bush is somewhere between 50 and 60 years. The period within which a tea bush will yield a reasonable amount is 5 to 6 years. Therefore, it is to be planned and the replanting has to be phased in such a way that, as far as possible, the yield is not affected and the quality also is not affected. That was why the Plantation Enquiry Commission, regarding this as a very serious matter, has suggested that Government should take steps to ensure that a replanting fund is set aside by the companies to the extent of about Rs. 50 an acre in order to ensure that replanting is done.

in order to ensure that the interests of the industry are not neglected by the plantation owners

These are really the main recommendations that I would like to put before the House. And, I would like to appeal to Government that they do reconsider the position and not, out of hand, just reject the major recommendations of a responsible Commission that they have themselves set up.

Labour amenities are today very low in the plantations. The Plantation Labour Act was passed and various amenities are supposed to be given under the provisions of this Act. I can see hon. Shri Kanungo, who has often said it to me outside this House, waiting to say, 'Oh! you see it is the British owners who are very good. They have been brought up under old standards of living up to the Holy Bible and all that sort of thing and it is the Indian owners who are really the villains of the piece and why don't you carry the guns against the Indian owners and leave the British owners alone in the matter of labour amenities.' What is really the fact? The fact is that today the amenities are not really even up to the mark in the British plantations. And, if in the Indian plantations there are certain problems, they are there. We are confident that the Indian owners, given the capacity to progress, given the safeguarding that is necessary to them when they are new in the field, will certainly, not be lagging in dealing with labour when it is necessary.

It is only recently after freedom that the labour movement has become possible in the plantation areas and we see these plantation owners infuriated by the fact that the labour has grown strong enough to have the Plantation Labour Act passed. We see these people absolutely impotent in their fury; so impotent are they that they go even beyond the bounds of decorum. The Chairman of the UPASI in a Conference which the hon. Commerce Minister was supposed to attend, makes a bold and daring attack on the Communist Government

of Kerala. He has the cheek, the audacity to question the wisdom of the electorate in our country. This man who still lives in pre-histories medieval times, who still thinks that in the plantations he can continue to be the monarch of all he surveys, comes forward with statements like this. We find that the Ministry continues to be like the 3 monkeys, seeing no evil, hearing no evil and—of course, I am doubtful about the speaking part of it—speaking no evil.

In this industry we find the squeezing out process taking place. It is not only the Plantation Enquiry Commission but it is also the Government itself that agrees that such squeezing out process is there. I will show later how they do agree. Here, it is very necessary that these issues be taken up in the interests of the industry, in the interests of national economy, in the interests of our labour movement, in the interests of the amenities for our workers and the future of the socialist society, the socialist pattern which our Ministers and our Government still seem to be dreaming of and do not wish to try. In all these interests it is necessary because the odds are very great against the Indian owners in the tea industry. We find that the British owners dictate the policy of the Government. The stock argument has been, 'Do you believe in the figures or do you believe in the industry; do you believe in the honesty and truth of the British owners; we are all living as brothers; we are all living in the happy family of the Commonwealth; or do you believe in the other argument? If you do stand in their way, the British, the United Kingdom will stop buying tea.' This is the main argument. The British do buy a good amount of tea but there are several other countries also buying our tea and certainly we can follow these avenues without the help of the British owners.

We are a free country; we are a strong country and we are a proud country. And, as for the British stopping drinking tea, it is almost like

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asking our people to give up chewing pan. That is an impossibility and you will find that the British worker, the average Britisher, whatever class he may belong to, must have his tea in the morning; he must have his cup of tea at 4 o'clock in the afternoon and if ever there is any danger just because we are bold enough to break the monopoly created in our country in order to safeguard the interests of our country financially and economically of the Britishers giving up the drinking of tea, it is for them to worry. Why worry? The Government itself realises that it is necessary to have an independent agency to develop Indian tea in foreign markets. You find Tea Council set up, you find Rs. 40 lakhs foreign exchange being spent on propaganda in countries other than the United Kingdom

We know that in the socialist countries there is a demand for Indian tea. Indian tea is supposed to be the best tea in the world. There is a demand for that tea in Rumania and Czechoslovakia; today, Indian tea is being sold at a scarcity price subsidized by the Government. A pound of Indian tea costs the equivalent of Rs. 25 in Rumania. There are all these markets that can be pursued, that can be uncovered; and, certainly, we need not be dependent on British alone nor on the good sense or the good taste of the Britisher who, today, is trying to blackmail us in this manner.

Then, as far as the rejection of these recommendations is concerned, there is one disturbing factor about it. It has not been very clear either from the statement given or in the answer that the hon. Minister gave us on the floor of this House, whether a major policy matter like this was discussed in the Cabinet or not. This is one matter on which we would really like to have clarification because there have been indications that the report was handed over to one particular official to consider and his recommendations were then put before the

Ministry and then there was a formality but not a really detailed discussion in the Cabinet on a very serious matter like this. If that is the fact, if that is true, it is very disturbing because, as was pointed out, the tea industry is not a very small or a very ordinary industry. It is necessary to safeguard that industry if you are to go forward with your Second Five Year Plan and if you want your country to go forward in economic prosperity. If that is really true, it is a very serious matter and I would put it before Government that certainly the matter should be reconsidered. The Cabinet should take it up and they should consider frankly one and all of these important suggestions and recommendations made by the Plantation Enquiry Commission once again and not reject out of hand just because some official has gone into it and has come forth with his own views, because we all know that India produces nearly half of the total world tea production. The acreage in our country has gone up since 1947. You will, at the same time, find that the labour has gone down. The managing agencies' commissions have gone up. The money that is going into the treasury in Great Britain is far larger in proportion than the money that accrues to our Exchequer from this very important industry.

Tea is not an industry all by itself. Many of us are not aware that the plywood industry depends very largely on tea industry. Fertiliser industry also depends on tea. Various fields of transport industry depend on tea for their existence. Transport gets quite a good amount of revenue from tea. The development of plantations in our country means the development of the various regions. For instance, in 1954, 82 per cent. of the production of the plywood chests in our country was produced for the tea industry itself. Similarly, 82,000 tons of fertiliser worth Rs. 2.86 crores were consumed by that industry of which fertiliser worth Rs. 2.54 crores was of Indian manufacture. This is no

small sum. Thus, you have to visualise the number of people who will be involved if there is a loss in the tea industry. If the tea industry suffers, the fertiliser, plywood and other dependent industries would suffer.

If our Railway Minister was here, he would agree that the railways earned as much as Rs. 2 crores in 1954 from the tea industry and our river transport earned Rs. 1.62 crores and our road transport, Rs. 20.24 crores. So, it is not only that some amounts are being lost to our Exchequer through these foreign agencies making so much money through foreign business handling the money involved in the tea industry. Through various other means these planters find, they cheat the Government of the money that is due to them. It is not a small sum that is at stake.

At the same time, let us remember the large number of workers who are employed in the plantations. It is necessary to safeguard those interests also in a country where unemployment does not seem to be decreasing but seems to be growing. Today, nearly ten lakhs are there according to the figures given by the plantation owners which themselves are very difficult to check up because of the system in which the books and registers are kept and payments are made in the plantations.

I would, therefore, request the Government to reconsider seriously and deeply the issues that have been raised by the Plantation Enquiry Commission and particularly those recommendations that refer to planting, warehousing, packaging and the conducting of auctions and replanting and see that steps are taken in order to break the monopoly grip that exists of the foreign capital in the tea industry which is so important to our economy.

There is a story that in 1946 when Lord Halifax said farewell when he was going to Washington as ambassador, the station master of Delhi, whom he had thanked for his good work during the viceregal

journeys, answered gravely and seriously that it was always such a pleasure to see His Excellency off! Therefore, I think that the Indian Government, which is always drawing inspiration from the past and the present, of the great leaders of the United Kingdom, would do well to learn from Lord Halifax.....(An Hon. Member: Station Master)—I am sorry—from the Station Master and see that these plantation magnates from overseas, who tell us so often that the foreign exchange earnings are their contribution to India, are told: "It is a great pleasure to see you off also."

**Mr. Chairman:** Motion moved:

"That the decisions of the Government of India on the recommendations of the Plantation Enquiry Commission Report, Part I—Tea, be taken into consideration."

The hon. Minister of Parliamentary Affairs wants to make a statement, before we proceed further.

#### BUSINESS OF THE HOUSE

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** Sir, in view of the cancellation of the sitting of this House on 14th September, 1957 and the shifting of the Private Members' business to 12th September, I would like to announce that the business for the 11th, 12th and 13th September will consist of the following items:

Any part-discussed item of business carried over from today's Order Paper;

Consideration and passing of the Essential Commodities (Second Amendment) Bill;

Government Resolution regarding the ratification of Universal Copyright Convention, 1952.

The remaining items included for the list for 10th and 11th September will be taken up in the order in which they have been put down.

The Forward Contracts Regulation (Amendment) Bill, 1957, as passed by

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the Rajya Sabha, will, however, be brought forward for consideration on 12th September after the disposal of any part-discussed item carried over from the 11th September.

As already announced, discussion on planning will take place on the 13th of September—the whole day, six hours

**PLANTATION ENQUIRY COMMISSION REPORT, PART I—TEA—contd.**

**Shri Nath Pai (Rajapur):** Sir, I wish this House had at its disposal more time than it has been found possible to have today for discussing the industry that is so vitally important for our economy. Tea is one of the few luxuries which are still allowed to an average Indian. It is a major ambassador of goodwill and major earner of our precious foreign exchange.

We have heard very interesting statistics from the speaker who preceded me in this debate and I shall try to avoid them but in so far as they are pertinent and essential for sustaining my arguments, I may be compelled to refer to them again.

I am only emphasising the importance of this industry so that this House becomes conscious not only of the tea as a very pleasant beverage but also how essential a part it plays in the other fields. I shall try to make a small effort through this House so that the nation at large becomes conscious of tea. It sounds perhaps paradoxical that somebody should want to make India tea-conscious. But, it is from another point of view that such an effort is required, it is also warranted.

If I say that perhaps 25 per cent of the total foreign export of this country is contributed by our tea exports, that more than a million workers are directly employed by tea industry that it makes a great contribution to our national Exchequer in various forms—tea cess, customs duty, income-tax in some States,

agricultural tax too, I am not exaggerating. I will not be trying to impose upon this House statistic which are easily available in this monumental work which the Commission has produced.

The point is that it is the main export commodity and the main earner of the precious currency which this nation now needs for financing its Plan. It is not only that the Plan requires the money which we can earn through tea. Normally, when there was no Plan, such currency and income is required for the simple functioning of the economic machinery which was helped very substantially by tea.

Reference was just now made to such factors like how other allied industries are also affected by this small leaf of tea. There is the timber industry, plywood industry, transport industry and the fertiliser industry. It would, of course, be an exaggeration to say that transport industry depends upon tea; but, it is not so with the plywood industry and fertiliser industry. They provide employment for numerous workers. There is also the general contribution that they make to our economy. If we take all these factors into consideration, we would realise the importance of this otherwise simple-looking tea leaf and the place it occupies in the economy of this country. If it is so, I think it is time that we try to put this industry on a proper basis. After I came to realise by spending a few nights on this book what the Government has done today, I simply wonder about some of the professions of our Government. They are never tired of telling that every pie has to be saved for the Five Year Plan. They are never tired of telling us that no effort is to be spared to make a success of this Five Year Plan. To all kinds of general platitudinous lectures this nation and this House is very often subject to. But when it comes to taking concrete steps to materialise the success, when we have the cumulative effort or the product of

the cumulative effort of some of the best minds in the country, what do we do? We throw it to the dust, we throw it to the winds.

16 hrs.

There are some recommendations which, perhaps, are necessary to mention here, because one of the habits of the present Government is to profess their loyalty to socialism and proclaim to the world how they are determined to usher in a socialist pattern of society. No discussion of the economic factors or any section of our economic and industrial life is possible unless we make a reference to this profession, to this pretence of our Government. If it is so, we are only to look at this document and ask ourselves.

Never was a product of so much labour conscientiously wasted as on this occasion. The book has not been produced by any socialist. They were trained experts to whose services the Government is entitled to, and in whose judgement we should normally rely upon unless there are some vital interests which compel us to take an otherwise view.

I will be just taking a few factors about this industry and how it is being managed. I shall not be accused of harbouring any anti-British feeling or suffering from a xenophobia. I think it will be wide of the mark to suggest that in making these suggestions I am suffering from any such phobia. But let us look at it.

Out of an area of 7.89 lakhs acres that is under this crop, after ten years of freedom 35.11 per cent is under Indian control and the rest under foreign control. But this is not the most important thing. Of the estates which are of vital interest for this industry which exceed 500 acres only 19.7 per cent. are under Indian control. This is a very significant factor.

The hon. gentlemen who occupy the benches opposite are never tired of parding their patriotism, and the moment you mention something, they will not be tired or fight shy of telling

you, this is foreign, this is not suitable for Indian climate and soil etc. ad nauseum. But let us look at these factors. Here, in this industry, what is happening. 13 agency houses control 75 per cent. of the production. Of these, 7 companies control 50 per cent. and 5 foreign companies control 36 per cent. 85 per cent. of the total distribution is controlled by two leading foreign firms. There is concentration in foreign hands of the vital needs of this industry. I do not think in pointing out this fact to the House, which the Commission has reached as a conclusion after laborious efforts to which it dedicated itself, we are indulging in any kind of phobia. 98 per cent. of the tea auction was in the hands of 4 European companies.

We are told that we are going to Indianise. What do these factors, what do these figures speak? It is not the fact that foreigners happen to control this industry that worries us so much, it is the manner of its being handled. There is a dangerous concentration of this industry in the hands of a few families.

We do not know if some of the hon. Ministers find time to bother about the recommendations or the reports which experts of this country produce from time to time. They are very busy, we know and, therefore, one wonders, seeing the blank way in which they show their rejection of such proposals, if they ever bother to study them and see what can be done. My hon. friend there is smiling, a right which I do not deny to him. But I should like to ask him only this. If the recommendations are only to decorate the libraries of India, if they are to go on collecting dust, why waste so much energy, why waste so much effort, why waste so much money, why make a farce, unless it was just to waste it all?

These are the recommendations which the Commission has been clamouring for, which can be implemented without doing any injustice to anybody. In that process we shall only be putting this economy on a

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sound basis, whereby it will be harnessed to serve the vital interests of our national economy.

Sir, I referred to the concentration and what happened as a result of this concentration. I shall read out a portion, giving not my opinion but these experts—civil servants many of them—and people otherwise very competent to pass the judgment on this subject. This is not the product of the man who has been there with Marxist doctrine, but the product arrived by bearing two considerations, what is economically feasible and what is in the interest of India. These two criteria they applied and here is their recommendation. First they pointed out what harm this concentration is doing to the economy. They said:

"This unusual concentration enables the Calcutta managing agencies to artificially manipulate, expand or contract the auction in Calcutta and London. This has a serious repercussion on the Indian sector of the industry, the earnings and amenities of labour and the income derived on the national Exchequer as a whole."

This is what this concentration leads to. It was not my contention that something is basically wrong only because it is foreign owned. That in itself is wrong only because it does not serve our interests but the interests of some other treasury.

But a very important point, a very vital point is this, the way it is harnessed. The way this industry is exploited today is doing no justice to this country's economy and those who serve it.

In this connection, before I leave this point, I would like to make out one thing with regard to the labourers in this country. It was the tragedy, it was the suffering of the labourers on the plantations that made Gandhi turn his mind against tea. He advocated it as a principle of discipline for the patriots—those were the patriots who joined Congress before

1947, I have them in mind—that they should not take tea, because in that cup of tea he saw the reflection of the misery of the labourers. They are mainly drawn from Scheduled Castes and Scheduled Tribes. There were malarial conditions, no housing and the law of the whip prevailed there till about 1947. Conditions have not materially changed there even now. After all this comes the tea, and who gets the butter out of it, who gets the cream. It is somebody else.

Shri Feroze Gandhi (Rai Bareli): TT.

Shri Nath Pai: TT. That is the truth coming from home, and it will not be for me to try to contradict it. Shri Gandhi should know better, so I shall not dare to contradict him.

Now, I just say that this concentration leads to uneconomic prices I will be just suggesting something. These are the recommendations of the Commission. In case the hon. Shri Kanungo has not read them, may I have his leave to read them out to him and to this House. This is what they say on page 103 of the report:

"We have noted earlier that 'general charges' and 'payment to labour' form the largest parts of the total costs of production of tea. Under the head 'General Charges'....."

I shall be very slow in reading this:

".....there is room for reduction of costs by decreasing the remuneration paid to managing agents and secretaries, by abolishing the commission paid to managers, etc. (and instead giving them a consolidated salary), by increasing 'Indianisation' of managerial personnel and reducing the number of non-Indian managerial personnel to the minimum, and by rationalising the salary structure ....."

I hope, Sir, that this will not be wasted. There is another recommendation pertinent to this matter as against this increase because certain reductions were possible in the Indian section.

Now, Sir, it is generally being followed that this 'white elephant' of managing agencies, we do not need. We do not need them in other industries and the Government is seeing the wisdom of following this policy. Why then this special treatment for the tea industry? If managing agencies are no longer required in some of the major industries of the country, if an industry can be made to work, to function smoothly without the aid of a managing agency, where is the necessity of having a managing agency only for the tea industry? And, what do they do? Here is the verdict on that chapter.

They say:

"As against these increased costs, certain reductions were possible in the Indian section by abolishing managing agencies, reducing brokerage and warehousing charges, providing finance at low rates of interest and supplies at economic costs, and bringing down disproportionate salaries and reducing the managerial staff to the minimum."

I would like so far as the cost of production is concerned that these are borne into mind.

There is the question of general management; which way to run that? I do not think nationalisation of everything is the grand panacea for all our ills. I agree that as this country develops, as democracy matures and we have the necessary personnel, a greater and greater sector of our economy can gradually come under the Government. But when we talk of socialism I do not think it is a straight-line economy all the time; it is socialisation we want, and a beginning can be made in this country here by having a co-operative type of approach to this.

Is this, again, the pigment of our imagination? No, Sir, it is the product of cold calculations made by the Commission which you in your wisdom thought fit to appoint to go into the pros and cons of the entire industry.

They suggested it as a remedy, that some risks there may be, but it is worth while taking them than allowing the industry to go the way it is going. It is not doing justice, to which we are entitled from this industry.

It has been just now suggested that there is a vital long-term interest which we have to bear in mind. The foreign-owned industries have neglected a very important part, that is of replanting. There are a variety of factors, but the time at my disposal will not permit me to go into those details. A reference was just now made to it. If the industry is to be maintained as an important factor in our national economic life, every care must be bestowed on this economy.

One of the things is to increase the acreage under plantation and to see that as the present saplings grow older, new ones are provided for, so that there is a continued regular supply of better quality of tea both for home consumption and also—a very important part of the whole thing—for foreign exports. This the foreign companies are not in a position to do, and the Commission reports that the progress so far made has been tardy, disappointing and very slow.

Now, about the profits, Sir. It is not as the classical economists tell us, namely, the return of the risk undertaken by the *entrepreneur*. In so far as tea is concerned, it is the intervention of the Government which makes these huge profits possible. At one page they point out that the profits are rendered possible—by what?—by the intervention of the Government. In these various forms the Government intervention comes in. There is a control on production. Licensing is there. So, production is controlled. Exports are controlled. And, a very serious thing, labour is compelled to act of restraint. It is the sacrifice, compulsory sacrifice on the part of the labour and, I think, the consumer in India and, therefore, the nation as a whole which makes these lucrative profits in the industry possible.

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Here again they will say, "This young man is indulging in platitudes". I am not, and for those sardonic smiles that I see on the Treasury Benches I shall refer to this book again. They say, "It is not the restraint of labour in a single estate or industry that resulted in profits but in all the industries of the country. Government, therefore, might justly take away all the profits that remained after meeting all legitimate payments due to all interests including itself, pool and distribute them for labour in the whole country." I am stating this fact so that employees and labour might understand that they have a share here. This is with regard to distribution of profits.

Sir, this dangerous bell has gone. I had some other factors to mention. Now that my time is drawing to a close, I shall be mentioning this factor of the Government giving some consideration to marketing. I have already made a reference to it. I could not have made it more poetical than was made in this House. Very nicely in a very non-violent, friendly way let us say:

"Loyally you have served, we have enjoyed it. We should thank you and say farewell. This time we take care to pay, and you will get good tea as ever you got, possibly cheaper."

It is absolutely conceivable if the middlemen's profits and those of the agencies and of monopoly concerns which determine the prices are cut down, not only will we have a good but a bigger market both in the United Kingdom and the United States and other countries which are offering to buy our tea. We shall not be worried or frightened by this ghost that if something is done to ownership you will be cutting the ground under the industry and that it will collapse. It is wrong. If you follow the lines we are suggesting and follow the suggestions and recommendations of the Commission, it is conceivable that tea will be available in greater quantity and at cheaper cost. The cost of pro-

duction has been gone into and it has been established that mainly it is the agency and the general cost that makes for the difference between the cost of production and the price at which the commodity is sold in this market and in the world market. Bearing these factors in mind—I would not try your indulgence any further—I suggest once again let us try to give serious thought to the recommendations which the Plantation Inquiry Commission has after so much laborious effort offered to the nation. If we follow them we can reach certain solutions which will not be hurting anybody's interests. I do not believe in outright confiscation of anybody's property. We have got certain moral obligations which we are bound to stand by, because they will come out with the cry, "Here they are throwing to the winds all the normal commercial obligations, moral obligations." Nobody is suggesting that. But there is a way of rationalising the whole thing and seeing that what our workers are producing on Indian soil is basically used for Indian interests and does not serve the interests of some banking interests located somewhere else. To this we are entitled, and it is not being either totalitarian or undemocratic when all that we say is "let there be fair play"

The interests which this country had in tea have been doubled today. If statistics are needed I can give them, but unfortunately I have no time. How many times the original capital has been taken away by way of profits out of this country! Nobody can complain, therefore, that we were either unfair or indiscriminate in the way we proceeded to put our house in order. If we take these measures, tea can continue to play even a more benevolent part in our homes and in furthering our economy. I have already said at the beginning that it is one of our best ambassadors. It can go in a better attire if the Government has the courage to follow the recommendations of the Commission.

**The Minister of Commerce (Shri Kanungo):** Sir, I am glad for the opportunity of the motion being discussed in the House. One thing has come out very clear, that every section of the House is interested in maintaining the health of the industry which is so vital to our economy.

Regarding the particular motion which was discussed, that is, the resolution of the Government on the report of the Plantation Enquiry Commission, apart from rhetorics, the main points, according to my understanding, which have come out are about the rejection of the recommendation of the Plantation Inquiry Commission regarding the sales at Cochin and Calcutta.....

**Mr. Chairman:** Shri Dwarikanath Tewari wanted to speak on this. As he did not rise I called the hon. Minister. I do not want him to be disappointed. The hon. Minister may please continue after he has spoken.

**Shri Dwarikanath Tewari (Cachar):** Sir, this is my first opportunity to address this House, and I think I will speak in Hindi which is the national language of India. My Hindi will be faulty and I beg excuse from this House.

प्लान्टेशन एन्कवायरी कमीशन की रिपोर्ट को गवर्नमेंट ने जिस हालत में टाल दिया, उस ने एक ऐसी परिस्थिति त्रोट की है। जिस की तरफ मैं इस हाउस का ध्यान दिलाना चाहता हूँ। अगर गवर्नमेंट यह कहे कि हम ने अपनी हच्छा से प्लान्टेशन एन्कवायरी कमीशन बिठाया तो यह बात सही नहीं होगी, क्योंकि इस के पीछे एक लम्बा चौड़ा इतिहास है। १९४७ में हम स्वाधीन हुए। तब ही हम चाय बागान में काम करने वाले अपने भाई बहिनों के पास जा सके। इससे पहले उनके पास पहुँचना बड़ा मुश्किल था। अगर आप जाते, तो उस समय बिटिश राज्य के हाथ में पोलीटिकल पावर था, वह पकड़ लेता था और जेल में डाल देता था और मैनेजर पीट भी देते थे। १९४७ में आसाम में फर्स्ट ड्रेड यूनियन मूवमेंट शुरू हुई। हम

ने उस बक्त देखा कि प्लान्टेशन इंडस्ट्री की हालत बहुत सराब है। हमने गवर्नमेंट आफ आसाम को लिखा कि इस इंडस्ट्री की की हालत बहुत सराब है, आप इस का स्पाल कीजिए। गवर्नमेंट ने कुछ नहीं किया। इसके बाद १९४८ में जब एन्प्लायर्ज ने देखा कि ट्रेड यूनियन मूवमेंट पावरफुल हो रही है, तो उन्होंने एक सोकल काइसिस ट्रोट कर दिया। उन लोगों ने नोटिस दे दिया कि प्लान्टेशन में जो राशन दिया जाता है वह हम बन्द कर देंगे क्योंकि प्लान्टेशन में हमें लास हो रहा है। एकबूझली उन लोगों ने १६ या १७ बागानों में बन्द करने के लिए नोटिस दे दिया। जगजीवन राम जी उस बक्त यूनियन लेबर मिनिस्टर थे। उन्होंने इंटरव्हीन किया। नई दिल्ली में एक ट्रिप्परटाइट कानफरेंस बृतानी गयी जिसमें हम लोग भी बूलाये गये और प्लांटर भी आये थे। जगजीवन राम जी ने कहा कि यह जो काइसिस आ रहा है इसको मत आने दीजिये, हमारी बात मान लीजिये। हम लोगों ने कहा कि इंडस्ट्री की हालत बहुत सराब है, पिछले ५० सालों से इस इंडस्ट्री को निगलेकर किया गया है, इंडस्ट्री में बहुत इनएफिशिएंसी है, आप इसकी जाच करें। उस समय उन्होंने एक एन्कवायरी कमेटी बनायी जिसका नाम रखा कच्चार प्लान्टेशन एन्कवायरी कमेटी। इस एन्कवायरी कमेटी ने एक साल बाद अपनी रिपोर्ट सर्वानुषित कर दी जिसमें इंडस्ट्री के रिप्रेजेंटेटिव मिस्टर ग्रोवर के बयान से यह साक्षित हो गया कि निगलेकर हुई है। इन-एफिशेंसी तो स्वीकार नहीं की पर यह कहा कि इम्प्रूवमेंट के लिए स्कोप है। गवर्नमेंट ने यह रिपोर्ट दबाकर रख दी। हम सन १९४९ और १९५० में एंजीटेट करते रहे कि रिपोर्ट क्यों नहीं आ रही है। १९५२ में उसको गवर्नमेंट ने पब्लिश कर दिया। लेकिन अभी तक उस पर कोई डिसीशन नहीं लिया गया। इस एन्कवायरी कमेटी को रिपोर्ट को कोर्सड स्टोरेज में रख दिया गया है।

[श्री द्वारिका नारा जनवरी ]

फिर १६५२ में हम सोगो ने एजीटेट किया कि प्लाट्टन लेबर एक्ट इफक्ट में लाना चाहिए और मिनिमम वेजज एक्ट काम में लाना चाहिए। १६५२ में फिर इडस्ट्री वालों ने क्राइसिस कर दिया। इस क्राइसिस में उन्होंने आसाम के सारे बागान को नोटिस दे दिया कि हम बन्द कर देंगे जब तक कि गवर्नर्मेट हमें यह ऐश्योर न के कि प्लाटेशन लेबर एक्ट और मिनिमम वेजज एक्ट लाग नहीं किया जायेगा। यहां पर एक कानफरेस हुई। गवर्नर्मेट ने प्लाटेशन लेबर एक्ट को संसपेंड कर दिया और निनिमम वेजज एक्ट का रिवर्शन कर दिया। हमने ट्रैड-यूनियन की हिस्ट्री पढ़ी है लेकिन दुनिया में कहीं भी ऐसा उदाहरण नहीं है कि एक बार भि नमम वेजज एक्ट के अनुसार वेजज फिलस हो जाने के बाद मिनिमम वेजज एक्ट को फिर रिवर्ट कर दिया जाये।

हमने जो एजीटेशन किया उसमें हमारे चार चार्ज थे। वे चार्ज ये थे:

१. इडस्ट्री के अन्दर कड़ीशन्स बहुत खराब है।
२. इडस्ट्री में मानोपानी है जो कि अपने इटरेस्ट में प्राइसेज को फलभुएट कर लेती है।
३. इडस्ट्री में मेनेजर्मेट टाप हैबी है।
४. १६५२ का क्राइसिस में मेंड है।

हमने गवर्नर्मेट से रिक्वेस्ट की कि इसकी जांच की जाये। गवर्नर्मेट एक कमीशन एव्हाइंट करने की एसी हो गयी। इसका परसोनेल यह था:

१. श्री पी० माषव भेनन, आई० सी० एस०, आफिसर आन स्पेशल डपूटी, एड एक्स आन फिलियो ज्वाइंड सेकेटरी, मिनिस्ट्री आफ कामसं एंड इंडस्ट्री, बेवर्लेन।

२ श्री ए० बी० शिवस्वामी, फार-मरसी आव सरवेंट्स आफ इडिया सोसाइटी, मद्रास, एड रिसर्च एसोशियेट आफ दी देहली स्कूल आव इकानमिक्स देहली।

३ प्रो० एम० डी० मातुर हैड आफ दी डिपार्टमेट आव इकानमिक्स राजपूताना यूनीवर्सिटी, जयपुर।

इन तीन एमीनेंट आदमि दो जी गवर्नर्मेट ने कमीशन बनायी। लेकिन उसका रिजल्ट क्या हुआ? हमारे चारों चार्ज कनकलूसिवली प्रूफ हो गये। उनकी रिपोर्ट में कहा गया कि इडस्ट्री की कड़ीशन स्वराब है, मानापोली एग्जिस्ट करती है, एक्सपेंडिचर टाप हैबी है और १६५२ का क्राइसिस में मेंड क्राईसिस है।

वह “टी” चाइनीज वर्ड है, यह न हशलिश है और न इंडियन। टी चाइना का बीवरेज है। पहले अग्रेज चाइना से ट्रैड करते २ अर्लीमेटली १८८३ में ईस्ट इंडिया टी कम्पनी ने चाइना में इसकी मानापोली अपने हाथ में ले ली। इससे उन सोगों को बहुत साम था। बाद में अग्रेजों को मालूम हुआ कि बहुपुऱ वेली में टी की तरह का एक इंडीजीनस प्लॉट होता है। उन्होंने डिसाइड किया कि इस एरिया को आकुपाई कर लिया जावे और उसको आकुपाई कर लिया। हम उनको इस बात के लिए ब्रेफिंग देते हैं कि उन्होंने हिन्दुस्तान में टी इडस्ट्री बलाई और उन जगलों में इतना काम किया। १६४६ में एक और इसीडैट हुआ जो कि बहुत सिगनीफिकेंट है। उस बक्स एक इटरेशनल टी एमीमेट हुआ जिसके हिन्दुस्तान, सोलोन, और ईस्ट अफ्रीका पार्टनर थे। किंतु १६४६ में ईस्ट अफ्रीका डिसाइड हुआ और आउट आव दी इंटरेशनल टी एमीमेट। किंतु

१९४७ में हम इंहिपॉड्ट हो गये और उसके बाद जो काम हुआ उसको आप देख सकते हैं। पिछले दस साल में अफ्रीका में चाय की बहुत लेती होने लगी है। १९४६ में अफ्रीका एश्रीमेंट से बाहर चला गया और पिछले दस सालों की हिस्ती क्या है।

The planters were not planting tea. What is the final position? I shall now read a portion from the report:

"Non-Indian companies have failed to provide for adequate resources to conserve the tea plant which is a wasting asset. The consequence is that if immediately they did not replant 2 lakhs and 28 thousand acres out of 5 lakhs 12 thousand acres they owned, (this was the estimated area of bushes planted before 1910 on the basis of figures supplied by reporting companies), the industry may not exist in 44 per cent. of the tea area .... This situation has been brought about by a sectional objective to keep at the expense of the community the highest possible price by restricting production..... The biological life of the tea plant needed a provision of replanting 1-2/3 per cent. of the area every year to maintain the tea bush as a fixed asset..... Within ten years the industry may collapse if immediate steps were not taken for the replanting"

They are not replanting our tea. But in East Africa, what are they doing? This very interest is selling out the existing tea gardens to our businessmen here and what are they doing there?

One old established company from Assam last year gained control of 12,000 acres of tea land in Tanganyika. Another new company in S. Rhodesia has planted out 1,000 acres of tea in one season. This rapidly increasing

momentum is best illustrated by the following figures reproduced from the Tea and Rubber Mail. I will give you the comparison between two years. In Tanganyika, it was 4-1/2 million lbs. in 1955 and 5·4 million lbs. in 1956; Uganda—6·8 million lbs. in 1955 and 7 million lbs. in 1956; Kenya—19·1 million lbs. in 1955 and 21·3 million lbs. in 1956; Nyasaland—16·9 million lbs. in 1955 and 20 million lbs. in 1956; Belgian Congo—2·7 million lbs. in 1955 and 4 million lbs. in 1956; Portuguese East Africa—11·9 million lbs. in 1955 and 13 million lbs. in 1956. The total is 81·9 million lbs. in 1955 and 70·7 million lbs. in 1956.

In one year, in January, 1956, Kenya produced 1·76 million lbs. of tea and in January, 1957, production had increased to 2 million lbs., approximately a further 15 per cent. increase. In January, 1956, Uganda produced 5,28,000 lbs. of tea. In January, 1957, this had been increased to 6,55,000 lbs. an increase of nearly 24 per cent. In the Muffindi district of Tanganyika also the production has increased. But here we are not replanting our tea and our industry is in immediate danger. But in East Africa, these very interests have developed it very much. The Commission has suggested to the Government to consider this matter also.

As regards monopoly, my hon. friends, Mr. Nath Pai and Shrimati Parvathi Krishnan had said many things and I do not like to repeat all of them. I only want to say that the expenditure is top-heavy. The cost of production is Rs. 121·85 per 100 lbs. and the average price in 1956 is Rs. 210. The labour cost is 45 naye paise per lb., talking in terms of naye paise. The labour cost is only 38 per cent. and the remaining 62 per cent. is the overhead expenditure. That is what they are doing. They are employing high officers. If anybody goes as manager, he can easily earn Rs. 1,000 per month. It is said that they are

[Shri Dwarikanath Tewari]

going to Indianise the managerial staff. But what is happening there? Worthless sons of Ministers and M.P.s are getting employment there. They cannot compete in other markets. I ask Government to make enquiries.

**Shrimati Ila Palchoudhuri (Nabdwip):** Some worthy sons also get employment.

**Shri Dwarikanath Tewari:** Our behaviour with labour is worse than the Englishmen's behaviour with labour.

**Mr. Chairman:** The hon. Member's time is up.

**Shri Dwarikanath Tewari:** It was on the demand of the working class that this Commission was appointed, but the Government have rejected the recommendation of this Commission.

16.37 hrs.

[**MR. DEPUTY SPEAKER** in the Chair.] The one million workers expected some justice, but the Government have rejected the findings of these three important and impartial men. They have rejected it and they have created a bad situation. So, I request the Government to re-read this Plantation Commission's report and reconsider the matter, so that justice may not be denied to the workers. It has shaken the confidence and belief of one million workers in this country. It is not that we appointed the Commission on the representation of the industry. It was at the demand of the working class that you appointed this Commission. So, my request to the Government is to re-read and re-examine it and reconsider the matter. Otherwise, I think a nasty situation may develop in the plantation areas.

**Shri Kanungo:** I will take up some of the points which have been mentioned by the last speaker, because the House may be under some misconception unless they are replied to. Firstly, the Plantation Labour Act was passed by the Parliament and is being implemented. Therefore, the statement that the report of the

Plantation Labour Enquiry Committee was not given effect to and that it has been put in cold storage is not correct.

My hon. friend who represents labour should bear in mind several factors, namely, that the present Commission's job was mainly to recommend regarding steps to be taken to improve the industry as such so that it can stand up to international competition. Labour relationship was part of such an enquiry. In any case, if he reads the report, he will find that between the year 1953-54 and now, the increase in the wages has been of the order of 50 per cent. It has increased from 20 to 50 per cent. I suppose today the cost of production can be kept under check only if, along with rationalisation of the plantation and the industrial side of it, the outputs were bettered in quality.

Reverting to the motion as it stands, I beg to submit that the only two points which have been made out are: the turning down of the recommendation on Cochin and Calcutta auctions and the recommendation regarding the re-plantation fund. No other point has been specifically mentioned though there has been a lot of discussion about foreign monopoly and so on and so forth.

Regarding the plantation fund, the Resolution specifically mentions that the particular recommendation is still under consideration. Government has not taken any decision on that because mere creation of a fund is not going to solve the problem. The problem itself is to keep the plantation industry in health. Merely because somebody has suggested that the plants have got to be replaced in a period of 50 years, I would beg to submit, these matters cannot be taken arithmetically. It all depends upon the agonomic practice and care and attention bestowed on plantations. There are plants which will bear good crops at 80 years, whereas there are plants which, within 20 years or 25 years, will deteriorate. Therefore, you cannot have a mathematical assessment of this problem.

**Shri V. P. Nayar (Quilon):** Only a geometrical assessment.

**Shri Kanungo:** Therefore, what we are considering in a way is to have some sort of directorate of production because, after all, beyond the Plantation Enquiry Commission's Report, we have no comprehensive data regarding the production costs and also production practices in plantations. Fortunately, we have got some precedents in coffee and, I believe, if we are able to evolve a machinery whereby we can keep track and keep ourselves informed of the development from time to time, it will be a good thing. Because, these factors are not constant; factors change from year to year mainly because of climatic conditions and demand and supply in markets. Therefore, Government have not taken any firm decision on this matter. They hope to do so and when they do so, it may not exactly be accepting the recommendation as it is, but, in a way whereby the purpose will be served. That means, the plantations will be kept in healthy growth. Apart from that, there is nothing to be alarmed about it, at the moment because from 1941 onwards the production of plantations has been steadily increasing so much so that from 530 million lbs. today it has gone up to 670 million lbs. Of course, there is a disquieting feature in the sense that common tea is increasing whereas the quality tea is not increasing to the extent that we want. After all, in the export market quality tea fetch good price; common tea don't.

Regarding the other point which has been made about the sales in Cochin and Calcutta, as a matter of fact, the Government has got the powers even without any specific steps being taken to control the sales. We are watching it carefully.

**Shri Nath Pai:** You have watched it so long, we thought.

**Shri Kanungo:** And I beg to submit that there has been no evidence to show that there has been any malpractice at the sales.

**Shri V. P. Nayar:** Is that so?

**Shri Kanungo:** The fact that the bulk of the tea.....

**Shri Nath Pai:** Your conception of malpractices is very elastic because the Commission itself has pointed out all the malpractices which have inevitably brought this concentration of sales by four companies.

**Shri Kanungo:** The hon. Member had his chance and he has made his point.

**Shri Nath Pai:** I am sorry

**Mr. Deputy-Speaker:** Now, perhaps, he will be a little rigid.

**Shri Kanungo:** I beg to submit that the very fact that the largest quantity of tea was sold by a certain group of owners. ....

**Shri Nath Pai:** Only 4 companies and 94 per cent. of the sales.

**Shri Kanungo:** 12 companies had 50 per cent of it and it is a historical fact. How does it hurt anybody?

**Shri Nath Pai:** Oh God!

**Shri Kanungo:** I am not going to say anything about the monopoly aspect of it. Whether it helps or not the monopoly of a certain group of interests in the industry, that is a separate point and I don't want to touch it.

**Shri Nath Pai:** We are not convinced.

**Shri Kanungo:** Whatever teas are offered, there is no evidence to show that there have been any malpractices anywhere.

Further, we hope to give better facilities to the small owners and small traders, who offer their tea, by Government taking over the warehousing.

**Mr. Deputy-Speaker:** The commentaries will have to be kept in abeyance for some time.

**Shri Kanungo:** The strategic control which the Government will have by controlling the warehouses and lending their services will result in more

[Shri Kanungo]

fairplay; more fairplay in the sense that small owners will not be shut out, as they are being shut out according to some—at the present moment.

I have disposed of the two points which have been made out. The decision of the Government on these two points will not hurt the industry or any interests.

Then there is the question of monopoly by certain interests. Well, it is a patent fact that the tea industry was pioneered and owned by British capital. We cannot escape history.

**Shri Nath Pai:** So also the railways.

**Shri Kanungo:** But the fact remains that within the course of the last ten years, Indian interests are getting more and more control over the plantation and distribution of tea. The suggestion was about the distribution of package tea. Now, it is a fact that two concerns hold almost the bulk of the distributive trade.

**Shri V. P. Nayar:** Which are they?

**Shri Kanungo:** The solution for that is not for the Government to go into the retail trade. The solution, to my mind, is to encourage other interests, create competition in the trade and provide opportunities for other interests.

**Shri V. P. Nayar:** Socialism

**Shri Kanungo:** Fortunately, two or three interests are coming in. But they have to prove their worth in the sense that, from the consumers' point of view, the new entrants have got to build up reputation for their brands. In this connection I might say without mentioning the name that one Indian concern in the field of retail package trade has made considerable reputation for its brand and, conditions being what they are, I believe more competitors will come into the line.

I am grateful to the last speaker, who mentioned about the growing competition in other countries, particularly African countries. We have

to remember that the bulk of our exports are to European countries. The only potential market with a tea-drinking habit is Australia: but unfortunately because of shipping difficulties we cannot compete there.

As far as quality is concerned, though we produce some of the best qualities, yet our competitors like Ceylon also produce good qualities and certain countries like Indonesia who were out of the international market have come into the international market. The total volume of tea consumption in the international market is not showing that rapid increase that one would expect with the rise in population and economic developments. Therefore we have not only to nurse our industry in a way where our competitive power regarding quality and prices will remain but we must have to find out other ways and other markets where we can expand.

Mention was made of some of the East European countries where Indian tea is sold at very high prices. We know it perfectly well. Unfortunately those countries try to make profit out of their consumers. We cannot help it; that is their privilege. If Indian tea is sold at Rs. 25 per lb. in certain countries which the mover of the motion mentioned we cannot help it.

**Shrimati Parvathi Krishnan:** If I may point out I was not making a suggestion that tea prices should be controlled. But the fact that tea is paid such high prices is indicative of the fact that there is demand for tea there.

**Mr. Deputy-Speaker:** If they can charge that price why should we not get that margin.

**Shri Kanungo:** That is exactly what I am mentioning. It is a totalitarian country where retail trade is controlled. They charge their consumers a high price but we cannot charge them because they have got alternative sources of supply. We cannot sell it as Rs. 5·3 or five.

**Shrimati Parvathi Krishnan:** The question is one of possible market in these countries. The Minister keeps on harping on prices.

**Shri Kanungo:** But markets depends upon prices. Monopoly purchase countries will buy wherever they get cheap. They are hard bargainers. We have been bargaining for the last three or four years. We know how they beat us down.

**Shri V. P. Nayar:** Did you ever offer tea through the State Trading Corporation?

**Shri Kanungo:** Yes, yes. I do not blame them. Any buyer must buy as cheap as he can.

Therefore, the openings for expansion of our tea are limited. We are doing our best. Our propaganda and our market surveys are mainly directed to Middle-Eastern countries and to America which is a traditional coffee drinking country. Fortunately for us we have made a little foot-hold there. But we have today got to maintain the London market which is a large distributing centre. We have to maintain the London market and we are maintaining the London market not by giving any privileges by any subsidies or any other trading benefits, but by sheer competition.

**Shri Nagi Reddy (Anantapur):** By sheer British monopoly.

**Shri Kanungo:** No, it is by sheer competition.

**Mr. Deputy-Speaker:** We should acknowledge that there is difference of opinion between the two sides.

**Shri Kanungo:** As I said historical facts cannot be controverted. These are not matters which you can tackle by straight legislation; we cannot do it by straight administrative action. Not only in tea industry but in every other industry the fiscal measures which the hon. House is passing is directed in such a way that there should not be abnormal profits or abnormal concen-

tration of wealth. The results of it are apparent. As far as the tea industry is concerned, there is no special feature where it is exempted from the fiscal measures of Government. The question of monopoly apart, the motion as it was discussed today referred to only two points and I have replied to them. There are eight main recommendations on which we hope to take a decision quite soon. These relate to help and control over production for which we have to provide machinery.

**Shri Nath Pai:** Control of marketing.

**Shrimati Parvathi Krishnan:** What about blending?

**Shri Kanungo:** That is part of marketing. We are taking steps to create an administrative machinery.

**Mr. Deputy-Speaker:** We should not blend things here.

**Shri Kanungo:** Financing is another important point which we are still considering. The problem is that no one is going to advance money to a concern which is not credit-worthy. My hon. friend mentioned certain facts about European banking houses financing a large number of companies. It is a curious thing that certain concerns get it at very low rates of interest and other concerns do not. There is something in it.

**Shri Nath Pai:** There is nothing curious about it: they are the same concerns, the monopoly interests.

**Shri Kanungo:** It is not as simple as that.

**Mr. Deputy-Speaker:** If any hon. Member wants to speak he has to rise and get the permission of the Chair. Hon. Members cannot keep on interrupting the speech.

**Shri Kanungo:** Two steps which we hope will give a better health to the industry as a whole and to the smaller interests, particularly Indian interests which have come later on are the help

[Shri Kanungo]

and control of production and financing which are still under consideration. Out of the 157 recommendations, I may mention that arithmetically Government have accepted 77.

Shrimati Parvathi Krishnan: Minor ones.

Shri Kanungo: That is a matter of opinion.

Mr. Deputy-Speaker: The Mover has a right of reply, if she is not satisfied, but she is replying without being given a chance.

Shrimati Parvathi Krishnan: This is only running commentary.

Mr. Deputy-Speaker: Running commentary is not allowed; I shall have to stop it.

Shri Kanungo: The main point which I wish to make is that we do not want to make an exception in the case of the tea industry. The fiscal measures which we have taken will have the same effect on the tea industry as on other industries. I have nothing more to add.

Shri Sinhasan Singh: The hon. Minister has not replied to one allegation and insinuation made by the hon. Member from Assam that these companies are now engaging Indians as managers, and they are mostly the worthless sons of Ministers and M.P.s. How far there is truth in it?

Shri Kanungo: I submit that that allegation does not deserve a reply.

17 hrs.

Shrimati Parvathi Krishnan: Mr. Deputy-Speaker, the hon. Minister has not answered the major points that have been raised by us when discussing this question of Government's rejection of the recommendations of the Plantation Enquiry Commission. He brushed aside very lightly, in a very simple manner, the question of how the monopoly grip of foreign capital in the industry has got to be checked and broken step by step.

Belonging to the ruling party which claims to be aiming at building a socialist system of society, it is amazing that, here, when it is a question of the British monopolist hold in plantation, he wants to give us a lecture on history, how the British planters were pioneers in building up the tea industry, how it is the British who were responsible for discovering this wealth in the forest regions of our country and so on and so forth.

Shri Kanungo: Not a lecture.

Shrimati Parvathi Krishnan: He wants to be historical, for, he wants to place before Parliament an assessment of how much the British have contributed to us. I would remind him of the various speeches that have been made by Members of Viceroy's Executive Council from time to time in days when he was, along with us—when his party was—along with us fighting for the liberation of our country when they used to say, no, no, the British are very good, it is they who have started the schools in India, in an illiterate country, people are now starting to sign their names instead of putting their thumb impression....

Mr. Deputy-Speaker: If that was a lecture, what would this be?

Shrimati Parvathi Krishnan: Therefore, I am surprised that, instead of dealing with this matter seriously, instead of putting forward a case to point out that the Government is dealing with this problem, he comes forward to defend the position of these monopolist British owners in the tea industry. Perhaps it is because of this that the Chairman of the U.P.A.S.I., at the annual meeting of the U.P.A.S.I. in Coonoor, held towards the end of the last month, had the courage to say in a very snug manner, at the end of his speech, after attacking labour, political parties and so on, all and sundry in the country, that the Government's rejection of the major recommendations of the Plantation Enquiry Commission brings once again a sense of confidence into the mind of the planters, and so on.

I suppose this is where the planters get their sense of confidence from and perhaps it is natural that when....

Shri Kanunge: I shall be obliged if the hon. Member will give me the quotation, reference to the speech which she has made.

Shrimati Parvathi Krishnan: This has come in the verbatim report that has appeared in the press and I am quite prepared to give him a copy of this quotation or the whole speech if it has not yet reached his office by now, though it should have. Because, the Minister of Commerce and Industry was supposed to be present at that conference. But, indisposition prevented him from reaching there and fortunately he was not placed in the embarrassing position of having to hear, as Chairman, these words in his physical presence though his spiritual presence was probably there guiding the deliberations of that conference.

Be that as it may, it is this sort of remarks that are made on the floor of the House by Members of the Government and the actions of the Government that follow these remarks that enable or give courage to these people to make derogatory remarks about our country, our heritage and our freedom. Today, when we are moving forward, in keeping with our best traditions, in keeping with the pledges that have been made to those martyrs in the national liberation movement, it is time that, step by step, we get back to India what is her own, whether it be cultural paintings or such other relics which were referred to in the previous Resolution or whether it be wealth that belongs to the people and not only to Shri T. T. Krishnamachari as Shri Feroze Gandhi tried to make out.

Therefore, what I would like to point out is that the reply of the hon. Minister has certainly not served to remove from the mind the apprehensions that remain there. When I spoke I said that we knew that the question of plantations was not decided on. I made an appeal that this question

should be decided on the basis of the recommendations made by the Plantation Enquiry Commission.

We are fully aware from the articles that have appeared in the press and from the statements made by plantation owners that that is the target of attack. The figures that have been given by the Plantation Enquiry Commission are now under fire from the plantation side, from the owners' side. I was really very regretful to hear an echo of that challenge of these figures coming also from the Treasury Benches.

I would, in concluding, like to appeal to the Minister and to the Government that once again they should take up the major recommendations—I stress the word major—that they should take up the major recommendations and reconsider those that have been rejected and give effect to the recommendations of a responsible Commission which was appointed by the Government and which, certainly, went about its work in a most responsible and very thorough manner.

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#### REGULATION OF WORKING HOURS IN THE TRANSPORT INDUSTRY

Shri V. P. Nayar (Quilon): May I know, Sir whether one of these Ministers will reply or the Labour Minister?

The Minister of Commerce (Shri Kanunge): I am here.

Shri V. P. Nayar: Sir, I am raising this discussion to point out the gross neglect to which the workers in the road transport industry are subjected by the Government of India.

Before I make my points, I would like to make a very humble request through you to the Minister that he might try at least to find some arguments for the points which we are raising. I have found, and just now, when the hon. Minister was replying I found it again that on important points which are raised from the opposition, Ministers have recently

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acquired a habit of giving very evasive replies, and in so doing, they seem to have developed something more entertaining than a fine art. I want, therefore, the hon. Minister who, unfortunately does not deal with the subject—even in subjects with which he deals, we have seen what it is—to give us a reply and if he does not know the details, let him kindly get the details on this very very important subject.

The road transport industry, today, employs not less than 4 lakhs of workers. I was amazed the other day when in answer to a question, the hon. Minister Shri Abid Ali gave us the figure that the industry employed only about 80,000 workers. I have here figures which show that we have 110,000 trucks and about 26,500 buses in our country. I do not know whether the hon. Minister takes it that these trucks and buses can be operated by a single driver. In the case of two or three buses, probably, the Minister thinks that all of them can together be operated by a single driver. Otherwise, when there are 150,000 vehicles, there is no reason why there should be 80,000 workers only.

The workers in the road transport industry have many problems. Their organisations, especially the National Federation of Road Transport Workers has been agitating on the basis of several demands. Very often, we find hon. Ministers giving replies, such evasive replies as I said before, that we are inclined to think that there was not at all a case before the Government, pending consideration. I very well remember, when I asked whether he had received a copy of the memo submitted by the National Federation of Road Transport Workers, he said that he did not have a copy. I immediately said, probably search your waste paper basket. I hope he has found it out. I have it here with me.

What is the real issue? When we assess the difficulties of these workers, we must also assess the importance of this industry in this very peculiar

context. The British Government, in the old days, thought that the transport industry was confined only to the Railways. They never considered that the road transport industry was an industry at all. They did not try to develop the road transport industry. I want to ask the hon. Minister whether that situation has at all changed today. Today you know, Sir, that a well-developed transport industry is an essential pre-requisite of any planning worth the name. Here, we are having several bottlenecks. The railways are not adequately developed, and if you go to other countries where the railway system is very well developed, you find that there are far larger number of buses and trucks than what you have in India. I am not going to tire the House with figures, but I would say that in the case of the U.S.A., for example, with its very well developed railway system, there are about 9 million trucks U.K. which is very small in area compared to our country has ten times the number of buses and trucks that we have. That is the importance of the industry even in countries where the railway system is very well developed. Then we can understand what the importance of this industry will be in a country like India where the railway system is still very much under-developed.

Then, I would like to know from the hon. Minister how he can say that the policy in regard to the labour employed in this industry has changed. To me it does not at all appear to have changed, it has gone from bad to worse.

You will remember, Sir, that in 1939 the I.L.O. had a convention on the transport industry. India was a member. Very often the Ministers boast of being Members. It is certainly not a revolutionary organisation, being controlled through fractional committees of this party or that party. The I.L.O. had agreed as early as 1939 that in this industry which had its own hazards peculiar to it there should be a limitation on the working hours. I find that in 1939 the Government of

India sent a note on the questionnaire circulated by the I.L.O. And here in the report of the 25th session of the I.L.O. I find that the attitude of the then Government of India was also similar to what we find from the Government at present. This is what the report says.

"The reply from India says:

'Conditions of driving in India do not make the same demand on drivers as conditions in western countries, and the advantages of further regulations would require careful consideration in the light of further developments. In the circumstances, the Government of India feel that no useful purpose would be served by making a detailed reply to the questionnaire'."

What are the driving conditions in India? Are there any other countries with roads so unworthy of road traffic? In other countries we know that the roads have developed very well, and it is common knowledge that when the surface of the road is bad, there is a greater strain on the man at the wheel, as also on the conductor. In India we ply our buses through village roads. Our drivers and conductors have to work in tropical heat. Yet in 1939 the British Government chose to say for and on behalf of India that the working hours need not at all be reduced.

And what do we find now? Now, a year after the socialistic pattern of society was voted upon by this House, we find the Motor Vehicles Act being amended. In 1939 the Motor Vehicles Act had prescribed nine hours steering duty. You know, Sir, steering duty does not mean all the work that a driver has. The hon. Minister knows from his own experience that probably his driver reports to him at 9 o'clock or 8 o'clock in the morning. Maybe he has steering duty only for two, three or five hours, but he goes home not earlier than 10 o'clock in the night. Steering duty may be three hours only, but with this spread-over it might be many more hours.

In the case of transport workers, although the steering duty is fixed at nine hours, along with the spread-over it is very much more than nine hours. It is sometimes eleven or twelve hours, and in some cases it goes up to even 18 hours.

The Deputy Minister of Labour (Shri Abid Ali): I drive my own car. The key is with me.

Shri V. P. Nayar: I meant the Minister, not the Deputy Minister. So, I correct myself as Deputy Minister. If he drives himself, then it is quite good. I must thank the pedestrian who is safe on the way.

I say that by working even one hour more than their counterparts in other countries, the additional contribution which the drivers and the conductors in India would make to the industry is not a very negligible one. It is nothing short of 250 million man-hours a year. Our transport workers are obliged to work under that legislation because the Government has not been sympathetic towards them.

The hon. Minister may say that our conditions do not require any change. I would just quote one or two figures to show what the duty hours as fixed in other countries are. Here are the figures which I have taken again from the I.L.O. labour statistics of 1955: Canada 45.1 hours; U.S.A. 43.2 hours; Japan 48.2 hours; Philippines 45 hours; France 47.6 hours; U.K. 50.1 hours; India 54 hours. These figures are all for the week. When I said that 250 million man-hours is the additional work which our transport workers put in, I was referring in particular to this.

And what are the present circumstances? In 1939 when the working hours per day had to be fixed at nine, and the weekly working hours at 54, you know very well that India did not have any truck heavier than a three tonner. India did not have any bus which was weighing more than three tons. We know that in those days the carrying capacity of a bus was only 23. What is the position now? Now we have got the Leyland which weighs

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eight or nine tons, we have got the Tata-Mercedes-Benz which weighs eight or nine tons. We know in the case of Delhi transport especially at peak hours what the position is. There is a seating capacity for 40 or 50, there is a standing capacity for 15 or 20, then there is a hanging capacity for another 20, and ultimately there is a sandwiching capacity of what number God alone knows. Does it not increase the workload of the driver? Does it not increase the workload of the conductor who has to issue tickets to all these people? And remember what will be the position in Delhi's sweltering heat of summer when a man has to work in D.T.S for nine hours steering duty and another two hours spread-over. Is there anything wrong if they ask, when they know that our country is supposed to march forward to a goal of a socialistic pattern, that they must work only for a number of hours which are prescribed in other civilised countries? They are not asking for anything else. These are conditions which ought to have been attended to long, long ago.

We were told time and again when this issue was raised here that a comprehensive Bill would be brought forward. We had a Bill in 1956, but this was not changed. We are now promised that there will be another Bill.

Here again I want the hon. Minister to remember that in the recent deliberations of the tripartite committee, I am told, the workers made a united demand for a reduction of the working hours from nine to eight, but the brief of the Government at that conference even in the year of Grace 1957 seems to have been that there can be no reduction in the working hours per day nor in the working hours per week.

Mercies are being shown to other workers, very small mercies; particularly in the case of the transport workers, the mercies of Government seem to be rather strained. They do not drop as gentle rain at any rate, but they hit the worker as hailstones.

Why is this peculiar treatment meted out to the transport workers? We have got regulations to govern the working conditions in other industries, we have got regulations and codes in the tea industry or in the jute industry or the textile industry, even in the railways. Is there any such law or regulation which determines the number of working hours at a human level in respect of the transport industry?

It is easy for them to say that we are undergoing a process of development. We know the transport industry has a very vital role to play, and this is not the way to treat its workers. I found from the rates of payment for the various grades of workers also that they are not at all in a happy position. I am not taking up that matter now.

I also want the hon. Minister to remember that while it is easy for him to say that Government will come out with a very comprehensive piece of legislation and they are already attempting the draft of such a legislation, it is difficult for us to believe that there will be any material change from the conditions as we find now. I do not see any reason at all for Government having this attitude in the case of the workers of a very important industry.

Another point before I close is this. In such committees where labour is also represented, in such committees set up after consistent agitation, it is really ununderstandable for us to find that Government come after a period of 18 years from the day when it was originally laid down and say that they shall, for the time being, have 9-hour day and 54-hour week. I want the hon. Minister to consider the special problems of this industry, and if he would care, I shall give him some suggestions as to how Government should proceed if the interests of the industry have to be maintained.

The Minister is not listening to me. I thought I was wasting my lungs.

**Mr. Deputy-Speaker:** He has to speak.

**Shri V. P. Nayar:** But am I not entitled, when I speak, to a little attention from him?

**Mr. Deputy-Speaker:** He is taking notes for preparing his reply.

**Shri Abid Ali:** If he does not want a reply, I will not take notes. Either I write and reply or I do not write and do not reply.

**Shri V. P. Nayar:** I would give him some suggestions in the hope—may be I am not very much justified—that he will pay attention to them.

I want Government to ratify the I.L.O. Convention to which India was a party. We should not be told that it will be ratified after a long time or after due consideration. Government have been considering all these 18 years. We want, therefore, that the Convention should be ratified and working hours, as fixed by the Convention, namely 8 hours per day inclusive of steering, spread over to 48 hours a week, should be enforced. I would also request him to have the draft of the legislation for the motor transport workers, which is under discussion of the expert committee, to be brought before us at least in the next session.

The third suggestion is that the working hours for operating group should be made 8 hours per day including—not as we have done earlier—the steering duty, and spread over to 48 hours a week.

My fourth suggestion is that a tripartite inquiry commission should be appointed immediately to go into the service and living conditions of the motor transport workers in all their details. Such an inquiry is called for. Many other industries have had it and it is time that we had such an inquiry here also because we find that transport workers do not get most of the amenities—I do not say the workers in other industries get all the amenities; but they get a little bit of them—they do not get even that little bit; that has been consistently denied in the case of the transport workers.

Finally, I would request him to have another tripartite industrial committee to be constituted in order to discuss outstanding problems. I would again invite his kind attention to the memorandum submitted by the National Federation of Road Transport Workers, and urge upon him, while replying, to reply to the points which we have raised in regard to the labour conditions in the motor transport industry.

**Shri Tangamani (Madurai):** At the outset, I must say that we on this side are glad that this question of transport workers and their conditions of service has been raised by my esteemed friend, Shri V. P. Nayar.

Road transport workers are really of the category of sweated labour. When I say sweated labour, I am basing myself on the recognition accorded to it by the Government. Yesterday, we were discussing certain amendments to the Minimum Wages Act. That Act was meant to cover only those workers who were not well organised, those workers from whom sweated labour was extracted. Of the 12 industries which are mentioned in the Schedule to the Minimum Wages Act, public motor transport is the 11th. For the sake of comparison, I would like to mention the other industries which are covered by this Act, namely, woollen, rice mill, tobacco and biri, plantation, oil mills, stone-breaking, lac, mica, tanneries etc. Admittedly, some of these are cottage industries where the workers are not well organised. So these workers, including transport workers, whose conditions are the subject matter of today's discussion, should deserve greater attention and sympathy at the hands of Government.

I have also got certain association with these transport workers because for the last ten years or so, I have been working for the transport workers in Madras State so that I can also speak from my experience of the past ten years. My hon. friend was referring to the ILO Convention No. 67 which was adopted in 1939. Even before this Convention was

[*S shri Tangmanji*]

taken up for consideration, it was admitted by the trade union movement in 1945 and 1946 and also by all shades of political opinion, that the 8-hour day must be introduced in all these industries. Probably the Deputy Minister is also fully aware of such a campaign which was going on during 1945 and 1946. 8-hour day was the demand of the working class of India. So on 1st August 1946, 8-hour day for all the organised industries was introduced. But we find in 1957 that the transport workers are not enjoying that privilege. Ever since 1946, whenever there was a question of hours of work for transport workers referred to a tribunal, the adjudicators were always prepared to give—they have always given—8-hour day as working day.

I shall illustrate this point. In 1946, there was a strike in the SRVS bus service in Madurai. They were plying about 100 buses and employing nearly 800 workers. One of the issues raised was the question of hours of work and it is on record that as early as September 1946, the hours of work fixed, including half an hour as rest for a particular trip, were 8 a day. But today the Central legislation which fixes the hours of work for the transport workers says that the weekly quantum of work to be done by transport workers is 54 hours.

We are really confronted with this difficulty. In government transport services also when the hours of work are to be fixed, they say, 'Unless you work for 54 hours a week, no overtime can be claimed.' I am asking in all seriousness whether Government today are going to insist on this 54-hour week. The hon. Deputy Minister also knows that in the conference of the World Federation of Trade Unions, two categories of workers were mentioned—workers in mines and workers in road transport—who need special attention and sympathy because of the nature of the work that they have to do. The work is more strenuous and responsibility is also greater in the case of these workers.

They have even suggested that a 6-hour day will meet the ends of justice. When trade unions in India have accepted that less than 8 hours will be the proper working hours for transport workers, we are confronted with the fact that the actual number of hours of work per day is 9 for these transport workers. I would like to say that the transport workers also number nearly half a million. I will mention only the figures which I have taken from 1955. In 1955, there were 108,000 trucks plying in this country and there were also 26,600 buses plying. In these two years, certainly, the number must have increased and not decreased. So, 5 lakhs would be a moderate estimate of the total transport employees in the transport services.

In this I am not including those who are in the automobile workshops, those who have to be engaged for repairs. I am only including those people who are known as drivers, conductors, checking inspectors and booking clerks. That category of workers alone would come to nearly 5 lakhs. That is half the number of workers engaged in the railway transport today.

The railwaymen have got their own legislation; the Post and dock workers have their own legislation; the coal-mine workers have got their own separate legislation for protecting them. The time has come for a separate legislation dealing not only with the hours of work but with the conditions of work of the transport workers.

The hours of work for the transport workers was fixed in 1939 by the Motor Vehicles Act and the Hon. Minister knows the circumstances under which the Motor Vehicles Act was passed. That was there just coming and the Government wanted to equip themselves with more powers, take more police powers to restrict the movement of these bus drivers and conductors and in that way the Act was passed. They fixed 54 hours as the weekly duty hours and that continues to this day even after nearly 18 years.

One might ask whether this is a practical or a feasible proposition. In one of the States in the South, in Kerala they have now adopted this 8 hours, not only on the wheel, but also including the hours of rest and the spread-over. That is the period fixed by the State Government of Kerala for the transport workers.

I should also like to mention that these workers come under the Minimum Wages Act and they get very poor pay. When we were discussing the Minimum Wages (Amendment) Bill, hon. Shrimati Sucheta Kripalani pointed out how in particular industries there is so much of disparity in the wages. I will only mention the wages of conductors and cleaners. The conductors may be taken as skilled workers and the cleaners as unskilled workers. The wages which they get in the various States will show how there is so much of disparity.

In Madras, the conductor gets Rs. 1/14/- and the cleaner gets Rs. 1/2/- inclusive of dearness allowance. In Orissa, the conductor gets Rs. 1/12/- and the cleaner, Rs. 1/2/-; in the Punjab, the conductor gets Rs. 1/14/9 and the cleaner 0/12/5; West Bengal, the conductor gets Rs. 2/14/- and the cleaner Rs. 2/1/- and in Mysore the conductor gets Rs. 1/12/- and the cleaner gets 1/8/- In Delhi the conductor gets Rs. 2/3/- and the cleaner Rs. 2/. There is not only this disparity. In the cities where the corresponding skilled workers are very low paid, these will not compare favourably with them.

I do not want to score a debating point. I would request the hon. Minister to consider seriously about bringing in a comprehensive legislation which will give adequate protection to the transport workers. We are having a discussion about the explosions in the railways tomorrow. We will probably have to rely more on motor trucks. The road rail link has got to be developed also.

My hon. friend Shri Nayar was mentioning how in America they have

got something like 9 million trucks. Here the number of trucks in India is hardly one lakh. We have got a long way to go. More and more trucks and lorries are likely to come into the market and on the road also. More and more buses are also likely to come. More trucks and more buses mean more workers and workers with greater responsibility.

I will mention one important point which may also be taken into consideration by the hon. Minister. I have already mentioned that there are nearly 5 lakhs of transport workers in the country. What do they do? If the average is taken, every day nearly 5 million people are taken in these passenger transport. So, the lives of 5 million people are in the hands of these transport workers. So, they are doing such vital and responsible work. When we are talking of socialism or any other ism in this country, it is not fair to these people to extract 8 hours of work.

In Madras, we have got one of the biggest operators in the south, the TVS who have got nearly 500 buses. They are running it very efficiently. But they also rely upon the law which is to protect them. I can tell the hon. Minister that there it is not the Motor Vehicles Act that is applied; it is the convention that is being applied—8 hour day. But then the question arises where the worker has done work for 50 hours, he is not able to claim overtime wages because the law comes to the rescue of the employer. He says: 'Unless you have done 54 hours of work, you cannot claim overtime'. In the Government Transport, there are about 3,000 workers employed. There the question of overtime does not arise; the question of 48 hours does not arise. They say, 'We have got the Motor Vehicles Act and we are going to stick to it'.

I would request the hon. Minister to refer to the awards that have been given. As early as 1947, there was an award by Shri Venkataramaiah which dealt not only with the working conditions of the workers but actually the condition of the industry itself.

[Shri Tangamani]

He pointed out how this motor transport is a flourishing industry. Any owner of motor transport will be able to make enormous profits; the margin of profit is also higher. That is an industry where the margin of profit is higher and the labour is sweated and the wages paid are very low and the maximum number of hours of work is extracted. I submit this position cannot continue.

The hon. Labour Minister during the last Parliament has also assured the House that a comprehensive legislation, bearing in mind the working conditions and the hours of work of the transport employees, will be brought in. I submit that such legislation is long overdue.

**Shri Abid Ali:** Sir, at the outset, I may inform my hon. good friends there who say that I have no sympathy for these workers, that I was connected with the transport workers for a good number of years, both in the BEST and again in the Bombay State Road Transport Corporation. I know their conditions very well. Having been in the trade union movement for nearly four decades and moving about the country from one corner to another, meeting and contacting the workers in various industries, I know their conditions and I do not want that the hon. Member opposite should take the trouble of making me aware of the condition of workers in this particular industry.

I could not appreciate the necessity of the discussion which he has attempted this afternoon. He knows that we are bringing in this Bill but he is simply trying to tell his constituents outside that it is because of the attempts that they have made and because of the discussion that they have raised here, Government has come forward with the Bill. This is a good attempt on their part. But, I assure them that people outside know us also very well and they appreciate all that we are doing and they know that we are their friends and they have full confidence in us. (An Hon. Member:

You have all credit). Then, this discussion was not necessary.

**Mr. Deputy-Speaker:** Let that credit be divided.

**Shri Abid Ali:** I was submitting that it becomes difficult to satisfy the hon. Members both ways. They want that everything should be discussed in a tripartite conference. Because of such a demand, a tripartite committee was appointed. That is the reason for the delay. That committee is considering this matter and so the legislation could not come here earlier. Now, because of this and the consequent delay, a complaint is made that we are delaying this matter.

In April 1956, the matter was discussed in the 15th session of the Standing Labour Committee and tentative proposals for draft legislation were formulated in June 1956 and sent to the State Government for comments. A small tripartite committee was set up in February 1957 as recommended by the Standing Labour Committee to examine the tentative proposals and comments thereon. These were sent to the labour representatives also. In May 1957 that Committee met for the first time and discussed the proposals. In September, 1957, there was a second meeting and a report is now expected. He said that I should promise to place the report before this House during the next session. How can I promise? Let it submit the report first. Unless the report is submitted, we cannot place it here for discussion or even draft a Bill.

So, I may request the hon. Members to decide once and for all whether these things should be considered on the basis of the present procedure or we should bring them here straight. The matter should come here straight, if hon. Members want to avoid delay. But, if they want the present procedure to be continued, then they should tolerate the delay. It is not of our making.

**Mr. Deputy-Speaker:** Will the hon. Minister abide by the advice given by them?

**Shri Abid Ali:** To a great extent, certainly. Because these things go into tripartite committees and the decisions there are mostly unanimous; their counterparts are present there. That is the demand they are making and we should be responsive to good suggestions, coming from that side also.

The complaint has been made as if no Act is applicable to workers in that industry. A majority of them have got awards. So far as the working conditions, hours of work, etc. and also wages are concerned, these awards are enforced. In some cases, I may inform the hon. Members that the provisions of the proposed Bill may not be so advanced as some of the awards already are. Of course, they will be protected but that is another thing.

Coal, plantation and so many other things are mentioned. They have got enactments because they were not organised and their service conditions were bad. Transport workers are in cities or go from one city to another or from towns to villages. They are well-organised industrial workers. They have got their terms and conditions, in most cases, fairly satisfactory. A very large number of them are employees of municipalities and State Governments. The Motor Vehicles Act of 1939, one hon. Member said, was brought forward because the war was coming. I do not know on what basis he has got those dates but I know the Act was there already. Under that Act, nine hours a day are fixed with half an hour rest during that period. What is the good of saying that they are on their jobs for twelve hours or longer?

I shall submit that the Workmen's Compensation Act and the Payment of Wages Act and, so far as their workshops are concerned, the Factories Act are applicable to these workers also.

**Shri Tangamani:** But, the Provident Fund Act does not apply to them. The hon. Minister mentioned....

**Mr. Deputy-Speaker:** He is not yielding.

**Shri Abid Ali:** The hon. Member has also said that conditions have become from bad to worse. Can he please tell us how conditions have become from bad to worse? If he were kind enough to mention some facts, then we would have been able to accept that but so far as I am concerned, the condition has certainly improved considerably. Then, he went on to say that even when the Bill came, it would not be satisfactory. Then, why press for it? If he is convinced that nothing is coming and also knows that it will not be to his satisfaction, why all this agitation? He cannot have it both ways. It is being demanded with the expectation that it will improve the position. Only then, there is some sense in it.

Nothing particular was said by the hon. Member excepting, as I have said earlier, the propaganda part of it. On the basis of the information he has got from his friends, I am sure he is also convinced about the things. The work of that Committee is fairly advanced and I assure the House that as soon as we receive the report, it will be examined. We will lose no time in placing the report itself before the House, if necessary, and place the Bill itself before the House if possible. I may once again reiterate that we ourselves are very anxious that all those who need our help must be helped. The transport workers are having a fair deal and will have a still better deal and that all they deserve will be done.

**Mr. Deputy-Speaker:** The discussion is over.

**Shri V. P. Nayar:** Shall I have a chance to reply? Previously, there was the reply.

**Mr. Deputy-Speaker:** No reply. That was a motion but this is not. The House stands adjourned till 11 a.m. tomorrow.

17-50 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday the 11th September, 1957.

## DAILY DIGEST

(Tuesday, 10th September, 1957)

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1476.	Karnatak Khadi and Cottage Industries Board . . . . .	12983
1477.	Scheduled Castes Personnel in External Affairs Ministry . . . . .	12984

**PAPERS LAID ON THE TABLE**

The following papers were laid on the Table . . . . .

- (1) A copy of the Notification No. S.R.O. 2744, dated the 31st August, 1957 making certain amendments to the Tea Rules, 1954.
- (2) A copy of the Notification No. S.R.O. 2761, dated the 31st August, 1957, under section of the National Highways Act, 1956.
- (3) A copy of the Report on Labour Management, Consultation and Co-operation in the Tata Iron and Steel Company.

**REPORT OF COMMITTEE  
ON PRIVATE MEMBERS'  
BILLS AND RESOLUTIONS  
PRESENTED . . . . .**

Seventh Report was presented . . . . .

**REPORT OF COMMITTEE  
ON PETITIONS PRESENTED . . . . .**

First Report was presented . . . . .

**CALLING ATTENTION TO  
MATTER OF URGENT  
PUBLIC IMPORTANCE**

12985—87  
Shri Braj Raj Singh called the attention of the Minister of Labour

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and Employment to the high incidence of silicosis and tuberculosis among workers in the Pottery and Ceramic Industry in Delhi State as disclosed by the Report of the Chief Advisor of Factories and the action taken by Government to implement the Factories Act and other labour laws in the Delhi State.

The Deputy-Minister of Labour (Shri Abid Ali) made a statement in regard thereto and also laid on the Table a copy thereof.

**BILL INTRODUCED . . .** 12989

Essential Commodities (Second Amendment) Bill was introduced.

**PRIVATE MEMBER'S MOTION NEGATIVED .** 12989—13023

Further discussion on the motion regarding modification of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1956 continued.

On the motion, the House divided; Ayes 40, Noes 147. The motion was accordingly negatived.

**BILLS PASSED . . .** 13023—34

The following Bills were considered and passed.

(i) Indian Succession (Amendment) Bill as passed by Rajya Sabha.

(ii) Repealing and Amending Bill as passed by Rajya Sabha.

**RESOLUTION ADOPTED .** 13034—64

The Minister of State in the Ministry of Education and

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Scientific Research (Dr. K. L. Shrimali) moved a resolution re. convention for the protection of Cultural Property in the event of Armed Conflict. After discussion the resolution was adopted.

**MOTION RE RECOMMENDATIONS OF THE PLANTATION ENQUIRY COMMISSION REPORT .** 13067—13105

Shrimati Parvathi Krishnan moved the motion for the consideration of the decisions of the Government on the recommendations of the Plantation Enquiry Commission Report, Part I—Tea. After discussion Shrimati Parvathi Krishnan replied to the debate and the discussion was concluded.

**DISCUSSION ON REGULATION OF WORKING HOURS IN THE TRANSPORT INDUSTRY .** 13067—13123

Shri V. P. Nayar raised a discussion on the regulation of working hours in the Transport industry.

The Deputy Minister of Labour (Shri Abid Ali) replied to the debate and the discussion was concluded.

**AGENDA FOR WEDNESDAY, 11TH SEPTEMBER, 1957.**

Consideration and passing of the Essential Commodities (Second Amendment) Bill; Resolution re Universal Copyright Convention and discussions on air crash in NEFA area and explosions in Railway wagons and sheds.